

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM  
INTERNATIONAL REVIEW PANEL**

**ANNUAL REPORT**

**Submitted to the 3<sup>rd</sup> Meeting of the Parties  
San José, Costa Rica  
June 2000**

**INDEX**

1. Introduction.....	1
2. Meetings of the IRP, Intergovernmental Meetings, and Meetings of the Parties .....	1
3. Fleet sampling in 1999.....	2
4. Dolphin mortality limits (DMLs) .....	2
4.1. 1999 DMLs .....	2
4.2. 2000 DMLs .....	3
4.3. Other DML issues:.....	3
4.4. Per-stock dolphin mortality limits (SMLs).....	4
5. Infractions .....	4
6. Alternative dolphin-rescue methods .....	5
7. Use of divers in dolphin rescue .....	5
8. Training and certification of fishing captains.....	5
9. Venezuelan national observer program .....	6
10. System for tracking and verifying tuna.....	6
11. Other issues .....	6
12. Unfinished business .....	6
13. Summary of possible infractions .....	6

**APPENDICES**

1. Sampling coverage by the IATTC and PNAAPD programs during 1999
2. Trips by vessels of non-Parties to the AIDCP sampled by the IATTC observer program in 1999
3. Distribution of dolphin mortality caused in 1999 by vessels with full-year DMLs
4. Statement of Costa Rica regarding DMLs for vessels of non-Parties
5. Per-stock mortality limits for the year 2000
6. Statement regarding the response rate by governments to possible infractions reported by the IRP
7. Resolution to support the On-Board Observer Program and establish a working group to develop captain incentives
8. Recommendation to the Parties regarding obstruction of observers
9. System for Tracking and Verifying Tuna
10. Recommendation to the Parties regarding amendment of the tuna tracking and verification system
11. Resolution on dolphin necropsy study and intergovernmental collaboration on the AIDCP
12. Summary of the possible infractions identified by the IRP during its 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup> meetings
13. Possible infractions identified during the report period and reported to the governments
14. Responses regarding possible infractions of observer harassment or interference, night sets, and use of explosives

## **1. INTRODUCTION**

For the International Review Panel (IRP) and the participating countries of the International Dolphin Conservation Program (IDCP), 1999 was a year of transition from the Agreement for the Conservation of Dolphins (the La Jolla Agreement) to the Agreement on the International Dolphin Conservation Program (AIDCP). The AIDCP came into force on February 15, 1999, and currently has been ratified or provisionally applied by Colombia, Costa Rica, Ecuador, El Salvador, European Community, Honduras, Mexico, Nicaragua, Panama, United States, Vanuatu, and Venezuela. The principal differences between the AIDCP and the La Jolla Agreement are that: (1) the AIDCP is binding, whereas the La Jolla Agreement was not; (2) the AIDCP establishes mortality limits for individual stocks of dolphins in addition to a DML for all species combined, whereas the La Jolla Agreement called for a single DML for all species combined; (3) the AIDCP includes, as one of its objectives, "avoiding, reducing and minimizing bycatch and discards of juvenile tunas and non-target species," whereas the La Jolla Agreement did not mention bycatches and discards; (4) the AIDCP provides for "certification for fishing captains and crews," whereas the La Jolla Agreement did not; and (5), the AIDCP provides for "the establishment of a system for the tracking and verification of tuna harvested with and without mortality or serious injury of dolphins," whereas the La Jolla Agreement did not. Also, the AIDCP applies to the area bounded by the coastline of the Americas, 40°N latitude, 150°W longitude, and 40°S latitude, whereas the La Jolla Agreement applied to "the eastern Pacific Ocean."

The La Jolla Agreement established the functions and responsibilities of the IRP, whose main objective was to review and report on the compliance of the vessels of the international tuna purse-seine fleet covered by that Agreement with the operational requirements and dolphin mortality limits set forth in the Agreement, and to make recommendations, as appropriate, to the participating governments. The functions and responsibilities of the IRP under the AIDCP are similar, and are described in Annex VII of that agreement.

The IRP currently consists of 18 members: 12 participating governments (Colombia, Costa Rica, Ecuador, El Salvador, European Community, Honduras, Mexico, Nicaragua, Panama, United States, Vanuatu, and Venezuela), and 6 representatives of environmental non-governmental organizations (NGOs) and the tuna industry. Only government members have voting rights, and the IATTC provides a non-voting Secretariat for the IRP.

This Annual Report, which reviews the seventh year of operation of the IDCP, summarizes all infractions of the La Jolla Agreement identified by the IRP and the actions and decisions it took during its 21<sup>st</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> meetings. Also included are actions and resolutions of the participating nations during three other meetings (the 39<sup>th</sup> IGM and the 1<sup>st</sup> and 2<sup>nd</sup> Meeting of the Parties to the AIDCP) which affect the operation of the IRP and the IDCP, the dolphin mortality levels in the fishery during 1999, and business that was pending before the IRP at the end of this reporting period. Minutes of these meetings are recorded by the Secretariat and distributed to the attendees. Documents referred to in this report are included in those minutes.

## **2. MEETINGS OF THE IRP, INTERGOVERNMENTAL MEETINGS, AND MEETINGS OF THE PARTIES**

The IRP held its 21<sup>st</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> meetings during the period covered by this report: on June 3-4, 1999 in Guayaquil, Ecuador, on October 1, 1999 in Ensenada, Mexico, and on January 24-25, 2000 in San Jose, Costa Rica. Representatives from all of the eligible parties attended some or all of the meetings. Ab. Gustavo Gutiérrez Vera, of Ecuador, Lic. Mara Murillo, of Mexico, and Dr. Hector Lopez, of Venezuela, served as Presiders of the 21<sup>st</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> meetings, respectively.

The 39<sup>th</sup> IGM and the 1<sup>st</sup> Meeting of the Parties were held concurrently on July 22, 1999 in La Jolla, California, with Mr. Brian Hallman of the United States as Chairman. The 2<sup>nd</sup> Meeting of the Parties was

held on October 11, 1999 in La Jolla, California, with Mr. William Gibbons-Fly of the United States as Chairman.

At the 21<sup>st</sup> meeting of the IRP, the new non-governmental members began their two-year terms: for the tuna industry, Messrs. Roberto Aguirre Román, José Maria Bengoa, and Alvaro Bustamente Steer, with Mr. José Juan Velázquez Macoshay as alternate, and for the environmental organizations, Dr. Héctor López (Fundación para la Defensa de la Naturaleza), Ms. Kathleen O'Connell (Whale and Dolphin Conservation Society), and Ms. Nina Young (Center for Marine Conservation), with Ms. Holly Payne (World Wildlife Fund) as alternate.

At the 22<sup>nd</sup> meeting, Dr. López announced his resignation. He was replaced by Ms. Payne, and Ms. Kitty Block, of the Humane Society of the United States, became the environmental organization alternate to the IRP.

At the 23<sup>rd</sup> meeting, Ms. Block replaced Ms. Payne, who had resigned in the interim. An election for a new alternate was held, and Mr. Alejandro Robles González (Conservation International) was elected as alternate for the environmental organizations.

### **3. FLEET SAMPLING IN 1999**

During 1999 observers of the IATTC and the Mexican Programa Nacional de Aprovechamiento del Atún y de Protección de Delfines (PNAAPD) aboard Class-6 vessels (carrying capacity more than 363 metric tons) collected data pertaining to dolphin mortality in the fishery, using standardized forms and data-collection procedures. The IATTC program and the PNAAPD shared the coverage of the Mexican fleet, and the IATTC program covered all trips, except for one, by all other national fleets operating in the EPO (Appendix 1). The IRP reviews the operations of these programs and the data they collect. All states listed in Appendix 1 except Belize and Honduras participated in the La Jolla Agreement, and all except Belize and Guatemala have either ratified or provisionally applied the AIDCP.

The one trip that was not observed was made by a vessel that had previously been classified as Class-5 (carrying capacity of 273-363 metric tons). It was re-classified as Class 6 when the flag government informed the IATTC that it had determined the vessel's carrying capacity to be greater than 363 metric tons, and that it should begin participating in the IDCP. The vessel made one complete fishing trip after the re-classification, but failed to take an observer.

The IATTC had observers aboard trips of vessels operating under the jurisdictions of Belize, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, European Community, the United States, Vanuatu, and Venezuela.

During 1999 the IATTC placed observers on 158 trips of non-Party vessels that departed after the AIDCP came into force on February 15, which included vessels under the jurisdictions of Belize, Colombia, El Salvador, European Community, Honduras, Nicaragua, Guatemala, Vanuatu, and Venezuela (Appendix 2). Subsequently all of these governments, except Belize and Guatemala, have either ratified or provisionally applied the AIDCP.

### **4. DOLPHIN MORTALITY LIMITS (DMLs)**

#### **4.1. 1999 DMLs**

The overall dolphin mortality limit for the international fleet in 1999 was 5,000, and DMLs of 40 animals each were allocated to the 125 vessels which requested DMLs.

At its 21<sup>st</sup> meeting, the IRP approved requests from nine vessels that had not been able to utilize<sup>1</sup> their DMLs by June 1, 1999, to keep their DMLs for the remainder of the year for reasons of *force majeure*. The Panel also allocated second-semester DMLs of 20 animals to ten vessels.

Of the 125 full-year DMLs issued, 91 were utilized, and 25 others were forfeited by not being utilized by June 1. None of the nine vessels that were allowed to keep their DMLs for reasons of *force majeure* utilized them during the rest of the year, nor were any of the ten second-semester DMLs utilized. No vessel exceeded its DML. The distribution of the dolphin mortality caused in 1999 by vessels with full-year DMLs is shown in Appendix 3.

The preliminary estimate of the total dolphin mortality in the fishery in 1999 is 1,348, or about 27 percent of the overall limit of 5,000. The preliminary estimate of the total number of intentional sets on tunas associated with dolphins is 8,648, and the average mortality in these sets is approximately 0.16 dolphins.

#### **4.2. 2000 DMLs**

At the 2<sup>nd</sup> Meeting of the Parties, it was agreed that a) DMLs for 2000 would only be allocated pursuant to the AIDCP and only to countries or regional economic integration organizations that have ratified the Agreement or formally agreed to provisionally apply it, b) the deadline for certifying that vessels requesting full-year and second-semester DMLs are qualified under Annex IV.I.2 of the AIDCP should be extended from November 1 to November 30, 1999, and c) a vessel that had received approval from the 1<sup>st</sup> Meeting of the Parties to test a new dolphin-release procedure (see Section 6) would be considered qualified to receive a DML in 2000 even though its net did not comply with the gear requirements in Annex VIII of the AIDCP.

In accordance with Annex IV of the AIDCP, the unreserved portion (4,900) of the overall dolphin mortality limit (5,000) was used to calculate an average individual vessel DML (ADML) of 44.55, based on 110 requests for DMLs from nine states. In the initial allocation of DMLs, several Parties held some of their fleet DML in reserve. At its 23<sup>rd</sup> meeting, the IRP decided that each Party would allocate the entire DML assigned to its fleet by February 1, 2000. Subsequently, the initial DML allocations by the Parties resulted in all 110 vessels receiving a DML of either 44 or 45. It was also clarified at the 23<sup>rd</sup> meeting that the DML of the vessel using the experimental dolphin-release procedure should come from the Reserve DML Allocation (RDA) instead of the unreserved portion of the overall DML. A clarification on the purpose and use of the RDA was to be referred to the next Meeting of the Parties.

Twenty-four vessels did not utilize their DMLs by April 1, 2000, but the IRP allowed 13 of those vessels to keep their DMLs for the rest of the year at the request of their respective governments for reasons of *force majeure*. The other 11 vessels forfeited their DMLs.

In the reallocation of the unutilized DMLs, which included the DML initially allocated to the aforementioned vessel using the experimental procedure, seven vessels each received a second-semester DML of 14. One of these seven vessels subsequently relinquished its DML. The remaining unutilized DMLs, totaling 432, were assigned to ten governments for reallocation to the 98 eligible DML vessels. Two governments notified the Secretariat of their reallocation by the May 1, 2000, deadline, and three others subsequently submitted their notifications.

#### **4.3. Other DML issues:**

During 1999 the Secretariat sent 9 quarterly performance letters, 6 at the end of the first quarter, 2 at the end of the second quarter, and 1 at the end of the third quarter, to vessels that risked exceeding their as-

---

<sup>1</sup> Utilization of a DML is defined as making at least one intentional set on tunas associated with dolphins

signed DML if their mortality levels continued to accumulate at the current rate.

At its 22<sup>nd</sup> meeting, the IRP reviewed a set with dolphin mortality during which a crewman died while working as a diver during dolphin rescue procedures. The Panel determined that the dolphin mortality in that set should not count towards the vessel's DML but should count towards the fleet's DML, and the 2<sup>nd</sup> Meeting of the Parties endorsed the decision.

At the 2<sup>nd</sup> Meeting of the Parties, it was agreed that when a DML vessel changes flag, the DML is transferable, provided that the second country has ratified or provisionally applied the AIDCP, that the record of compliance of the vessel is transferred along with it, and that the provisions of the AIDCP for allocating DMLs are applicable to the vessel. The second country would also assume responsibility for enforcing compliance with the AIDCP. There was also a discussion at that meeting in regard to a request from the government of Costa Rica (Appendix 4) that a DML be assigned to a non-Party vessel that might fish under Costa Rican jurisdiction. It was agreed that Costa Rica must demonstrate to the satisfaction of the Parties that its laws would provide effective jurisdiction over the vessel for a DML to be considered.

#### **4.4. Per-stock Dolphin Mortality Limits (SMLs)**

At the 1<sup>st</sup> Meeting of the Parties, the Parties agreed on a system for the allocation of stock mortality limits (SMLs) for each of the seven main stocks associated with the fishery (Appendix 5). For the year 2000, the SML will be set at 0.2% of the minimum estimate of abundance ( $N_{min}$ ), as established by the Parties. The 2<sup>nd</sup> Meeting of the Parties agreed that until more data are available,  $N_{min}$  will be based on U.S. National Marine Fisheries Service population estimates from 1986-1990 survey data for northeastern spotted, western and southern spotted, eastern spinner, whitebelly spinner, and central common dolphins, from 1992 survey data for southern common dolphins, and from 1993 survey data for northern common dolphins.

In order to monitor the mortality of the individual stocks of dolphins, observers would send a weekly report of dolphin mortality by fax. The reports would be sent more frequently if one or more of the SMLs was close to being reached. The form also provides for reporting the catches of the main tuna species in the EPO.

### **5. INFRACTIONS**

At its 21<sup>st</sup> meeting, the IRP decided that observers should be instructed that, in the event they are approached by vessel personnel in a way that suggested attempted bribery, they are to turn down such approaches clearly and forcefully, but also to report them. The Panel also decided that if it was unable to identify a possible observer interference infraction because of vague or subtle remarks by vessel personnel, the incident should be recorded on the record of the observer, captain, and vessel for future reference, and that the observer be informed that this action was taken.

Also at the 21<sup>st</sup> meeting, the non-governmental environmental members of the Panel expressed their concern about the low response rate by governments to possible infractions reported by the IRP (Appendix 6).

At its 22<sup>nd</sup> meeting, the IRP agreed to recommend to the Parties that observers on board vessels that leave the Agreement Area should be allowed to gather data for the entirety of the fishing trip, and that vessel owners and captains should be notified that, within the Agreement Area, all purse seiners over 363 metric tons carrying capacity must carry an observer on board for the entire fishing trip. The Panel also recommended that governments should pay special attention to the issue of observer interference and that captains should be advised to avoid situations that might be misinterpreted as observer harassment and/or interference. The 2<sup>nd</sup> Meeting of the Parties approved both recommendations, and also passed a resolution supporting the on-board observer program in regard to observer interference and harassment (Ap-

pendix 7).

At its 23<sup>rd</sup> meeting, the IRP recommended that the Director notify the Parties of the Panel's concern regarding the obstruction of observers in performing their assigned duties, including their obtaining statistical information on the population of dolphins in the EPO (Appendix 8).

## **6. ALTERNATIVE DOLPHIN-RESCUE METHODS**

At the 21<sup>st</sup> meeting of the IRP, a representative of a Spanish fishing company made a presentation to the Panel on a new method for releasing dolphins from tuna purse seines, a possible alternative to the back-down maneuver. In two experimental sets carried out with a member of the IATTC staff present, the method showed promise, and the observer on a subsequent fishing trip made by the vessel had reported that the maneuver was tried again with good results during a trial set not involving dolphins. The Panel approved the use of the system by vessels with suitably modified nets and with the additional equipment required to use the method, and would study the results during future meetings.

The Director reported to the 23<sup>rd</sup> meeting that, as per the Panel's instructions, he had written to several industry groups asking them to solicit from experienced fishing captains research protocols or proposals on alternative rescue procedures in lieu of backdown. He also asked for captains' opinions as to whether releasing the bow ortza should be allowed as an acceptable alternative to backdown but, as of the date of the meeting, no responses had been received on either issue. The Panel agreed that a meeting of the Scientific Advisory Board (SAB) should be called to discuss alternative dolphin rescue procedures, and that in the future any proposed experiment with equipment or techniques not contemplated in the AIDCP would have to be considered and approved before it could be used in the fishery. Proposals should be sent to the SAB for consideration; if the Board recommended the proposal, it would then have to be approved by the IRP and the Parties before proceeding. It was agreed that, in the particular case of the Spanish vessel issued a DML for 2000 that was to use an experimental method of dolphin release (described above), the European Community would send the Secretariat a research protocol for the experimental technique.

## **7. USE OF DIVERS IN DOLPHIN RESCUE**

At its 21<sup>st</sup> meeting, the IRP decided that use of divers as rescuers should not be compulsory due to concerns about the safety of crewmembers, and that, despite some anecdotal evidence that divers sometimes concealed dolphin mortality from observers, their use after backdown should not be banned since their effect on dolphin mortality appeared to be mainly beneficial. The Panel decided that no change in the current rules on the presence of rescuers, which require only a raft and crewman in the water, was justified.

## **8. TRAINING AND CERTIFICATION OF FISHING CAPTAINS**

At its 22<sup>nd</sup> meeting, the IRP recommended to the Parties that a working group be established to create a system that rewards captains with excellent performance, in accordance with the system approved for training fishing captains operating under the AIDCP.

At the 2<sup>nd</sup> Meeting of the Parties a resolution was adopted (also Appendix 7) to establish a working group to develop incentives for captains and crews, with a view to enhancing compliance with the AIDCP.

At its 23<sup>rd</sup> meeting, the IRP agreed that the Secretariat should inform the Panel if any captains currently fishing were not included in the list maintained by the Secretariat, and were thus not considered qualified. The Panel decided that information regarding fishing captains, such as their names and the names and flags of vessels on which they have worked, should be coded. The Parties would have access to the codes, and should promptly inform the Secretariat of any new captains, or of any captains removed from

or reinstated to their respective lists. The Panel also agreed that, for the purposes of evaluating the performance of captains under the AIDCP, activities prior to January 1, 2000 would not be taken into consideration. Captains entering the fishery for the first time must comply with the established system in order to be included in the list of qualified captains.

## **9. VENEZUELAN NATIONAL OBSERVER PROGRAM**

In 1999 Venezuela established its own national observer program, the Programa Nacional de Observadores (PNO). A training course for observers was held in December, and placement of PNO observers on Venezuelan vessels began in early January 2000. The IATTC and the PNO will share the sampling of the Venezuelan fleet. The program was established in close cooperation with the IATTC staff and the Mexican national observer program, the training course followed IATTC guidelines fully, and the program was fully compatible with the IATTC observer program.

## **10. SYSTEM FOR TRACKING AND VERIFYING TUNA**

At its 21<sup>st</sup> meeting, the Panel approved a system prepared by a working group for tracking and verifying the “dolphin safe” status of tuna caught in the EPO. The 1<sup>st</sup> Meeting of the Parties adopted the system with some modifications (Appendix 9).

The tracking system began operating at the beginning of 2000, and at its 23<sup>rd</sup> meeting the IRP recommended to the Parties an amendment to the system (Appendix 10) to simplify the procedures for handling the Tuna Tracking Forms when a vessel arrives in port. The Panel also agreed that the tuna tracking working group should continue to monitor the development of the program and should meet before the IATTC meeting in June 2000.

## **11. OTHER ISSUES**

At its 22<sup>nd</sup> meeting, the IRP recommended to the Parties that the IATTC should not have to pay for costs incurred by a vessel having to take an IATTC observer to port for medical reasons. This recommendation was accepted by the 2<sup>nd</sup> Meeting of the Parties.

The 2<sup>nd</sup> Meeting of the Parties adopted a resolution (Appendix 11) committing the Parties to participate in a dolphin necropsy study that is part of a United States research program on dolphin stocks associated with the EPO tuna fishery.

## **12. UNFINISHED BUSINESS**

The status of a number of items of business discussed by the IRP during meetings covered in this report and in prior meetings is as follows:

- (a) A system of recognizing outstanding performance by captains and crews of vessels with outstanding performance has yet to be developed. A working group is to be established to develop such a system.
- (b) The IRP has yet to determine if guidelines for determining possible infractions would be useful within the context of the AIDCP.
- (c) A meeting of the Scientific Advisory Board is to be called to discuss alternative dolphin rescue procedures, including any proposed by fishing captains and the industry, that might be used in lieu of backdown.

## **13. SUMMARY OF POSSIBLE INFRACTIONS**

Appendix 12 is a summary of the possible infractions identified by the IRP during its 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup> meetings, by infraction type. During these meetings the IRP reviewed data from 696 fishing trips, in-

cluding 8,352 intentional dolphin sets and 9 other sets with accidental capture of dolphins. A total of 747 possible infractions were identified and reported to governments, of which 100 were considered major infractions, 635 were considered other infractions, and 12 were cases of observer harassment or interference. As of July 17, 2000, the Secretariat had received a total of 334 responses from governments to those possible infractions, of which 22 related to major infractions, 302 to other infractions, and 10 to cases of observer harassment or interference.

Appendix 13 lists all the possible infractions identified during the period covered by this report, and reported by the Secretariat to the governments under whose jurisdiction the vessels in question operate. Each country's vessels, identified only as 1, 2, *etc.*, are listed in random order with the trips during which possible infractions occurred. Only vessels identified as having committed possible infractions are included. Each trip is identified by its IRP record number (example: 99-123), followed by the IRP meeting date (year/month) at which the possible infractions were identified. Each possible infraction is listed, followed by a brief description of the action taken by the government, as reported to the Secretariat; if no action is listed, this indicates that the Secretariat has not received a response from the government.

Appendix 14 includes summary tables of responses, by country, regarding three types of possible infractions (observer harassment or interference, night sets, and use of explosives) identified by the IRP during the three meetings.



## Appendix 1.

Sampling coverage by the IATTC and PNAAPD programs during 1999  
Cobertura de muestreo por los programas de la CIAT y el PNAAPD durante 1999.

National fleet	Trips	Trips sampled by program			% sampled
		IATTC	PNAAPD	Total	
Flota nacional	Viajes	Viajes muestreados por programa			% muestreado
		CIAT	PNAAPD	Total	
Belice - Belize	BLZ	8	-	8	100.0
Colombia	COL	22	-	22	100.0
Ecuador	ECU	255	-	255	100.0
El Salvador	SLV	8	-	7	87.5
España - Spain	ESP	40	-	40	100.0
Guatemala	GTM	14	-	14	100.0
Honduras	HON	13	-	13	100.0
México	MEX	200	99	200	100.0
Nicaragua	NIC	4	-	4	100.0
Panamá	PAN	9	-	9	100.0
USA - EE.UU.	USA	21	-	21	100.0
Vanuatu	VUT	57	-	57	100.0
Venezuela	VEN	91	-	91	100.0
<b>Total</b>	<b>742</b>	<b>642<sup>1</sup></b>	<b>99<sup>2</sup></b>	<b>741<sup>3</sup></b>	<b>99.9</b>

<sup>1</sup> Includes 49 trips which departed in late 1998 and ended in 1999, and 593 trips which departed in 1999

<sup>2</sup> Includes 5 trips which departed in late 1998 and ended in 1999, and 94 trips which departed in 1999

<sup>3</sup> Includes 54 trips which departed in late 1998 and ended in 1999, and 687 trips which departed in 1999

## Appendix 2.

Trips by vessels of non-Parties to the AIDCP sampled by the IATTC observer program in 1999<sup>1</sup>.  
Viajes de buques de no Partes del APICD muestreados por el programa de observadores de la CIAT en 1999<sup>1</sup>.

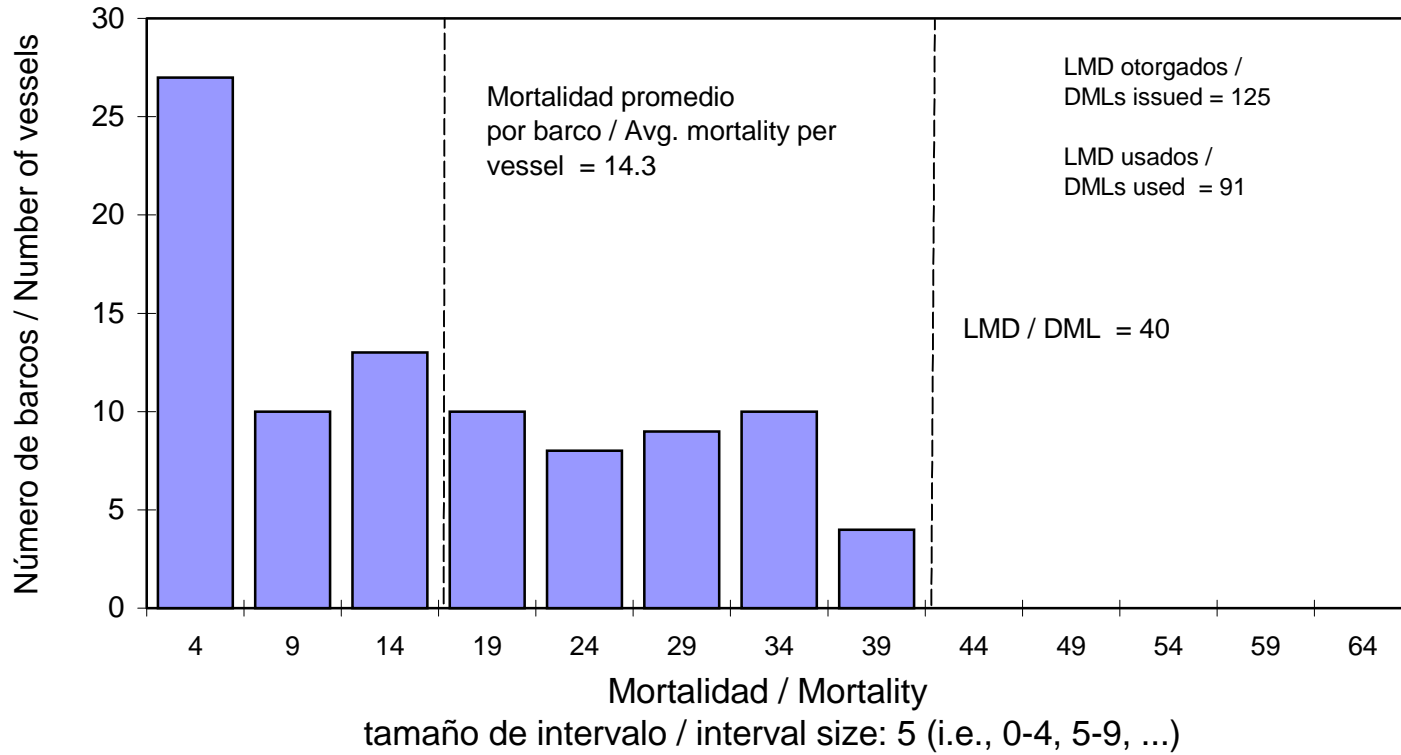
		Viajes -- Trips
Belice - Belize	BLZ	7
Colombia	COL	13
El Salvador	SLV	4
España - Spain	ESP	12
Guatemala	GTM	14
Honduras	HON	10
Nicaragua	NIC	3
Vanuatu	VUT	32
Venezuela	VEN	63
<b>Total</b>		<b>158</b>

<sup>1</sup> Departures after February 15 – Salidas posteriores al 15 de febrero

Appendix 3.

**MORTALIDAD CAUSADA POR BUQUES CON LMD - 1999**  
**MORTALITY CAUSED BY DML VESSELS - 1999**

(Uso de LMD = 1 o más lances intencionales sobre delfines; mortalidad en lances experimentales excluida --  
 DML use = 1 or more intentional sets on dolphins; experimental set mortality excluded )



Final

#### **Appendix 4.**

### **STATEMENT OF COSTA RICA REGARDING DMLs FOR VESSELS OF NON-PARTIES**

We request that we be allowed to issue DMLs to vessels flagged in another State as long as the laws of the other State do not prohibit vessels under its jurisdiction from fishing for tuna in association with dolphin.

This request is clearly permitted under the Agreement on the International Dolphin Conservation Program. Please refer to Annex IV, Section I, paragraph 3. The last portion of this paragraph provides as follows:

“... nor shall DMLs be assigned to any Party in order to provide permits for fishing in the Agreement Area to vessels flying the flag of another State whose applicable laws and regulations prohibit vessels under its jurisdiction from fishing for tuna in association with dolphins.”

The clear meaning of this provision is that States may issue DMLs to fish in the entire Agreement Area to vessels flying the flag of another State as long as the laws of the flag state do not prohibit fishing in association with dolphin.

When this matter was discussed previously, there was concern that the rules and regulations of this Commission could not be enforced against a vessel of another State by the State issuing the DML. We believe that we have the means to enforce the Commission's rules. We would require by contract that the vessel would agree to Costa Rica's jurisdiction for purposes enforcing the Commission's rules and monetary penalties. We would require that the vessel have an agent for the purpose of receiving legal process in Costa Rica. It is normal in contracts between multi nationals that one party submit to the laws and jurisdiction of another party. In Costa Rica as well as in many other countries, these clauses are considered valid by the Courts. We could require monetary security for the vessel's promise. Aside from these provisions, we believe we have the most formidable way of enforcing the Commission's rules. If a vessel refused to submit to our jurisdiction, we would remove the vessel's DML, request that no observer be assigned to this vessel, and request the Commission not to issue a participation letter for this vessel. This would eliminate the vessel's ability to sell its catch.

When Costa Rica approved the Agreement on the International Dolphin Conservation Program we believed we had the right, based on the unambiguous language in this Agreement, to issue DMLs to vessels of another State. We have made known to this Commission the problems we have in flagging vessels.

## Appendix 5.

### AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

#### PER-STOCK MORTALITY LIMITS FOR THE YEAR 2000

##### STOCK MORTALITY LIMITS

A mortality limit will be calculated for each stock incidentally taken in the purse-seine fishery for yellowfin tuna (Table 1).

All stocks associated with the dolphin fishery shall receive a stock mortality limit (SML). Those stocks are highlighted in Table 1. The remaining stocks listed in Table 1 shall be monitored, although not on a real-time basis.

For the year 2000 the SML will be set at 0.2% of  $N_{min}$ , as established by the Parties.

The IATTC will continue to document the mortality of all species listed in the table and count that mortality against the 5,000 limit and the dolphin mortality limit (DML) for a vessel.

##### DISTRIBUTION AND MONITORING OF STOCK MORTALITY LIMITS

For the year 2000 the SMLs shall not be distributed among vessels or Parties.

The IATTC will implement the system for 2000 as follows:

1. The IATTC places 2% of each SML into reserve to ensure that the individual SMLs are not exceeded.
2. IATTC and national program observers radio mortality reports for these stocks to the IATTC on a weekly basis.
3. The IATTC provides weekly dolphin mortality estimates by stock to the nations fishing in the EPO.
4. If the mortality for any stock for which an SML has been established reaches 70% and 90% of the SML, the Director will notify Parties immediately and request that they take such action as is necessary to avoid exceeding the limit.
5. If the SML for any stock is reached, the Director will notify the Parties immediately, and sets on that stock, in pure or mixed herds, shall cease for the remainder of the year. Each Party shall ensure that vessels under its jurisdiction cease making sets on that stock and on herds containing members of that stock.
6. If the SML for any given stock is exceeded, the amount of the excess will be subtracted from the SML established for the next year.
7. Preceding the Meeting of the Parties in 2000, the Working Group on per-stock, per-year dolphin mortality caps shall meet to review data from the first half of the year as well as any other relevant data and analyze, *inter alia*, the performance of the individual national fleets and their vessels in their interaction with the various stocks being monitored, including their expertise in effectively dealing with the behavior of the particular stocks. Such performance should be further measured in terms of other factors, including, *inter alia*, the number of sets on a particular stock *versus* observed mortalities in those sets, the number and proportion of failed sets on such stocks, and tons of tuna landed per observed mortality per stock. The Working Group shall examine the

estimates of mortality for the coastal spotted and Central American spinner stocks and consider whether more frequent monitoring is required.

8. The Working Group shall, on the basis of this review, present for the consideration of the Meeting of the Parties a proposal or proposals for the allocation of SMLs for the year 2001 and, if appropriate, for succeeding years. Such proposals may include modifications to the present system and for the allocation of national SMLs for all stocks or for those stocks where such an approach is warranted, and shall take into account the need not to prejudice the right and opportunity of vessels of Parties not previously allocated DMLs to participate in the fishery in accordance with the Agreement on the International Dolphin Conservation Program.
9. At the Meeting of the Parties in 2000, the Parties shall review the implementation of the global SML system and evaluate the proposals of the Working Group.

**TABLE 1.** Per-stock estimates of abundance ( $N$ ) and minimum abundance ( $N_{min}$ ), 0.2%  $N_{min}$  and 0.1%  $N_{min}$  stock mortality limits (SMLs), and 1997 and 1998 dolphin mortalities. ( $N$  and  $N_{min}$  values for illustrative purposes only.)

Stock	N (x 1000)	$N_{min}$ (x 1000)	0.2% $N_{min}$	0.1% $N_{min}$	1997 mortality	1998 mortality
Spotted dolphin ( <i>Stenella attenuata</i> )						
Northeastern stock	730.9	648.9	1,298	649	715	288
Western/Southern stock	1,298.4	1,145.1	2,290	1,145	1,024	338
Coastal stock	29.8	22.5	45	22	26	13
Spinner dolphin ( <i>Stenella longirostris</i> )						
Eastern stock	631.8	518.5	1,037	518	391	422
Whitebelly stock	1,019.3	871.9	1,744	872	498	249
Central American stock	(16.4)	-	-	-	0*	12
Common dolphins ( <i>Delphinus delphis</i> & <i>D. capensis</i> )						
Northern stock	713.7	562.7	1,125	563	9	261
Central stock	239.4	207.3	415	207	114	172
Southern stock	2,210.9	1,845.6	3,691	1,846	58	33
Striped dolphins ( <i>Stenella coeruleoalba</i> )	1,918.0	1,745.9	3,492	1,746	80	24
Fraser's dolphin ( <i>Lagenodelphis hosei</i> )	289.3	219.8	440	220	0*	0*
Bottlenose dolphin ( <i>Tursiops truncatus</i> )	243.5	192.3	385	192	10	29
Risso's dolphin ( <i>Grampus griseus</i> )	175.8	128.9	258	129	0*	0*
Rough-toothed dolphin ( <i>Steno bredanensis</i> )	145.9	112.2	224	112	20	0*
Pilot whale ( <i>Globicephala spp.</i> )	160.2	142.7	285	143	5	0*
Melon-headed whale ( <i>Peponocephala electra</i> )	45.4	31.2	62	31	0*	0*
Pacific white-sided dolphin ( <i>Lagenorhynchus obliquidens</i> )	11.2	8.4	17	8	0*	0*
Pygmy killer whale ( <i>Feresa attenuata</i> )	38.9	30.3	61	30	0	0
False killer whale ( <i>Pseudorca crassidens</i> )	39.8	24.4	49	24	0	0
Killer whale ( <i>Orcinus orca</i> )	8.5	6.3	13	6	0	0

Abundance estimates ( $N$ ) from Wade and Gerrodette (1993), and unpublished data for northern and central common dolphins.

Estimates of minimum abundance ( $N_{min}$ ) calculated from PBR guidelines in Wade and Angliss (1997).

\* Mortality has occurred on this stock or species between 1986 and 1997.

## Appendix 6.

### **STATEMENT BY THE NON-GOVERNMENTAL ENVIRONMENTAL MEMBERS OF THE IRP**

On behalf of the Center for Marine Conservation, FUDENA, Whale and Dolphin Conservation Society, and World Wildlife Fund, I want to express our extreme disappointment with the level of compliance demonstrated in the data that the IATTC staff presented yesterday. Our organizations have openly and repeatedly supported this program, touting it as an example for other regional management agreements. However, the lack of compliance and enforcement is not an aspect of this Agreement that we would want other nations to emulate in their regional agreements, because here the program has failed miserably.

For more than five years the IRP has referred possible infractions to the countries for action. Now we find that over the years the reporting response has declined, having reached a record low in 1998. This is unacceptable. There is no excuse for a country to fail to report back to the IRP on the actions it has taken on these possible infractions. If countries are going to ignore the information provided by the IRP, why are we here? Why are we going through this exercise? What hope do we have for enforcement of the new Agreement?

As the delegate from Costa Rica stated, opponents of this Agreement will use this information, and this type of failure, to attack the Agreement or to attempt to prevent the lifting of the embargoes. Frankly, this places those non-governmental organizations that have been your allies in a difficult position, because we cannot support lifting the embargoes for countries that fail to comply with or enforce this Agreement.

We are at the point, as new countries join this program and as the new Agreement enters into force, where effective enforcement is even more critical to the continued success of this program. Countries must take swift action and report back to the IATTC the results of that action. It is unacceptable to see cases where there has been no action or cases that are still under investigation, especially when the possible infraction is clear, such as use of explosives or fishing on dolphins after reaching the DML.

Therefore, we propose that:

1. The item "Review of actions by Parties on possible infractions reported by the IRP" be included in the agenda of all future IRP meetings;
2. Under that agenda item, the IATTC staff provide information in the format used in Appendix 8 of the 1998 IRP Annual Report;
3. The IATTC staff report on those infractions stipulated in Annex IV(III)(4) associated with whether a vessel may adjust its DML; and
4. The IATTC staff provide the information that it provided to us yesterday to the IGM for consideration, review, and possible action.

Our organizations are deeply concerned and disturbed by the lack of enforcement. We must reverse this trend immediately, otherwise we jeopardize the entire program and all that we have succeeded in achieving thus far. If the countries are unable to improve their enforcement of this Agreement, we will be forced to reevaluate our support of this program.

## Appendix 7.

### **RESOLUTION TO SUPPORT THE ON-BOARD OBSERVER PROGRAM AND ESTABLISH A WORKING GROUP TO DEVELOP CAPTAIN INCENTIVES**

**11 October 1999**

The Parties to the Agreement on the International Dolphin Conservation Program:

*Recognizing* the importance of observers to the success of the International Dolphin Conservation Program;

*Recognizing* the excellent work by observers in both the IATTC and national observer programs;

*Concerned about* the number of cases reviewed by the International Review Panel pertaining to observer interference and harassment;

*Commending* the tuna industry, vessel captains and crew for their successful efforts to reduce the incidental mortality of dolphins in the purse-seine tuna fishery of the eastern Pacific Ocean.

*Commit to:*

- Take additional measures to inform vessel owners and captains that it is a violation of Annex II (6)(f) of the Agreement on the International Dolphin Conservation Program for any vessel owner, captain, or crew member to obstruct, intimidate, interfere with, influence, bribe, or attempt to bribe an observer in the performance of his or her duties;
- Expeditiously review all possible infractions pertaining to observer harassment and interference, take swift action, in accordance with national legislation, on such possible infractions in a manner effective in securing compliance with the Agreement on the International Dolphin Conservation Program and discouraging such violations from occurring, and promptly inform the International Review Panel of the actions taken;
- Establish a working group to develop a system of incentives for captains and crews of vessels with a record of outstanding performance and with no record of infractions, with a view to enhancing compliance with the Agreement on the International Dolphin Conservation Program; and
- In accordance with Annex II.4(d) of the Agreement on the International Dolphin Conservation Program, ensure that vessel captains are provided the opportunity to include in the observer's reports any information that they might deem to be relevant.

## Appendix 8.

### **RECOMMENDATION TO THE PARTIES REGARDING OBSTRUCTION OF OBSERVERS**

The IRP recommends that the Director of the IATTC write to the governments participating in the IDCP to request that they emphasize to their vessel captains and owners the importance of ensuring that the observers are not impeded in any way by anyone from performing their assigned duties, including the responsibilities with respect to obtaining statistical information on the population of dolphins in the EPO.

The IRP further recommends that with regard to the incident aboard the vessel identified as 1999594, which was reviewed by the IRP as a possible infraction of the AIDCP, the Director of the IATTC express to the flag government of that vessel the Panel's concern over the incident and urge the government to make the captain and owner of the vessel aware of this concern.

## Appendix 9.

### AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM SYSTEM FOR TRACKING AND VERIFYING TUNA

#### 1. DEFINITIONS

The terms used in this document are defined as follows:

- (a) *Dolphin safe* tuna is tuna captured in sets in which there is no mortality or serious injury of dolphins;
- (b) *Non-dolphin safe* tuna is tuna captured in sets in which mortality or serious injury of dolphins occurs;
- (c) *Agreement Area* is the area covered by the AIDCP;
- (d) *AIDCP* is the Agreement on the International Dolphin Conservation Program;
- (e) *Party* or *Parties* are the Parties to the AIDCP;
- (f) *State* is a sovereign state or a regional economic integration organization to which its member States have transferred competence over matters covered by the AIDCP;
- (g) *National authority* is the department of government or other entity designated by each Party as responsible for implementing and operating the tuna tracking and verification program described in this document;
- (h) *IATTC* is the Inter-American Tropical Tuna Commission;
- (i) *Secretariat* is the staff of the IATTC;
- (j) *Captain* is the person aboard the vessel who has legal responsibility for the vessel while at sea and in port;
- (k) *Engineer* is the person aboard the vessel responsible for preparation of wells and the loading of the catch into the prepared wells;
- (l) *Observer* is the person assigned to the vessel by the IATTC or the Party's national observer program to record the vessel's fishing activities;
- (m) *Vessel* includes any vessel which catches, stores, or transports tuna covered by this tracking and verification program;
- (n) *Well* is any compartment on a purse-seine vessel in which tuna is stored in a freezing brine solution;
- (o) *Set* is the act of deploying and retrieving the purse seine in order to catch tuna;
- (p) *Bin* is any container used to store tuna after unloading, during cold storage, or for transport to processing.

#### 2. GENERAL

This document describes a system for tracking tuna caught in the Agreement Area by vessels fishing under the AIDCP. The sole purpose of this system is to enable dolphin safe tuna to be distinguished from non-dolphin safe tuna from the time it is caught to the time it is ready for retail sale. This system is based on the premise that dolphin safe tuna shall, from the time of capture, during unloading, storage, transfer,



and processing, be kept separate from non-dolphin safe tuna. To this end the system shall be based on a Tuna Tracking Form (TTF) and additional verification procedures described in this document or developed by individual Parties for use within their respective territories.

The national authority of the Party under whose jurisdiction a fishing vessel operates shall be responsible for tracking the tuna caught, transported, or unloaded by that vessel, but may, by mutual consent, delegate the observation of unloadings and transfers to the national authority of the state in which the unloading or transfer takes place. The national authority of the state in which the tuna is processed becomes responsible for the tracking and verification of the dolphin-safe status of all such tuna when it enters a processing plant located in that state, regardless of the flag of the catcher vessel.

It shall be the responsibility of each national authority to establish and maintain the systems, databases, and regulations necessary to implement the system in areas under its jurisdiction. By February 15, 2000, each Party, and all states which apply the program provisionally, shall provide to the Secretariat a report detailing the tracking and verification program established by that Party under its national laws and regulations. The progress of this program will be reviewed at the meeting of the International Review Panel preceding the Meeting of the Parties in 2000.

Each Party shall provide to the Secretariat, and update as necessary, the name, mailing address, telephone and fax numbers, and e-mail address of a designated contact person at its national authority who shall be responsible for all matters pertaining to the program described in this document, and the Secretariat shall circulate a list of all such contact persons to all national authorities.

### **3. TUNA TRACKING FORM (TTF)**

The Secretariat shall be responsible for producing the TTFs, which shall be in both English and Spanish, in sufficient quantity to be used throughout the Agreement Area by all the Parties; for distributing the forms to the national authorities; and for training a representative of each national authority in the proper use and handling of the form. Each national authority shall distribute TTFs to the fishing vessels under its jurisdiction.

1. TTFs utilized during a trip shall be identified by a unique number, which shall be the IATTC cruise number to which it corresponds, and shall have provision for recording and endorsing information concerning each set made during a fishing trip which would enable the contents of any of the vessel's wells to be identified as dolphin safe or non-dolphin safe.
2. Dolphin safe and non-dolphin safe tuna caught in the course of a trip shall be recorded on separate TTFs.
3. The national authority shall issue the TTFs to the observer assigned to the fishing vessel, and the cruise number shall be recorded on the TTF at the beginning of each trip. All tuna caught during that trip shall be recorded on the relevant TTF.
4. After a trip, the original TTF(s), with total confirmed quantities of tuna unloaded or transferred from that trip, shall be retained by the competent national authority, as follows:
  - (a) If the tuna is to be processed within the territory of the state under whose jurisdiction the fishing vessel operates, the original TTF(s) shall be submitted to the national authority of that state;
  - (b) If the tuna is to be processed within the territory of a state other than that under whose jurisdiction the fishing vessel operates, at the completion of unloading the tuna the responsibility for tracking passes to the national authority of the state in whose territory the tuna is to be processed. In such a case, the original TTF(s) is (are) submitted to the national authority under whose jurisdiction the tuna is to be processed, and a copy of the TTF(s) is (are) provided to the national authority of the Party under whose jurisdiction the vessel operates.

5. Within twenty days of receipt of a TTF, the competent national authority shall transmit a copy of the document to the Secretariat.
6. TTFs shall be treated by the competent national authority as confidential official documents of the IDCP, consistent with Article XVIII of the AIDCP.

#### **4. FISHING OPERATIONS**

1. At sack-up during each set, and prior to brailing or loading of tuna aboard the vessel and into wells, the observer determines whether or not dolphin mortality or serious injury has occurred in the set and notifies the captain immediately of his determination.
2. On the basis of the observer's determination, the tuna is designated either dolphin safe or non-dolphin safe. The tuna is brailed and loaded into a prepared well or wells which already contain either dolphin safe tuna or non-dolphin safe tuna, as applicable, or into a prepared but empty well or wells which shall then be designated dolphin safe or non-dolphin safe, as applicable.
3. In the event that dolphin mortality or serious injury is identified subsequent to the observer determination referenced in paragraph 1, the well or wells into which the tuna from that set was loaded shall be designated as non-dolphin safe well or wells for the rest of the trip. However, all dolphin safe tuna already in such a well, except the upper 15%, by weight, will still be considered dolphin safe, and will be unloaded as such after the non-dolphin safe tuna is unloaded.
4. At the completion of brailing, when there is no further question as to whether the tuna is dolphin safe or not, the observer, in consultation with the engineer, shall record on the appropriate TTF the species and estimated quantity of tuna loaded into each well used in that set. Both the observer and the engineer shall initial the entry for each set.
5. Within a reasonable period after the completion of loading of non-dolphin safe tuna, the observer may confirm the number(s) of the well(s) receiving the tuna by noting the subsequent change in temperature in the well(s).
6. Transfers of tuna from the net of one fishing vessel to another fishing vessel at sea in the course of a trip shall be documented on the TTF(s), specifying the quantity, species, and dolphin safe status of the tuna being transferred. The transfer shall be documented on the TTF(s) of both the transferring and receiving vessels.
7. Near the end of a fishing trip, if the only well space available is in a non-dolphin safe well, and there is an opportunity to make one last set, dolphin safe tuna caught in that set may be loaded into the non-dolphin safe well. The dolphin safe tuna must be kept physically separate from the non-dolphin safe tuna already in the well, using netting or similar material.
8. At the end of each fishing trip, when no more sets are to be made, the observer and the captain shall review the TTF(s), make any additional notes, and both will sign the form.

#### **5. UNLOADING**

1. The captain, managing owner, or agent of a vessel returning to port to unload part or all of its catch shall provide sufficient notice of the vessel's intended place and schedule of unloading to the competent national authority to allow for preparations to be made for monitoring the unloading of that tuna.
2. If a trip terminates when a vessel enters port to unload part of its catch, a new TTF(s) shall be assigned to the new trip, and the information concerning any tuna retained on the vessel shall be recorded as the first entry on the TTF(s) for the new trip. If the trip is not terminated following a par-

tial unloading, the vessel shall retain the original TTF(s) and shall submit a copy of that TTF(s), with original signatures, to the national authority of the state where the tuna was unloaded. In either case, the species, dolphin safe status, and amount of tuna unloaded shall be noted on the respective original TTF(s).

3. If tuna is unloaded from a fishing vessel in port and subsequently loaded aboard a carrier vessel for transport to a processing location, the state under whose jurisdiction the fishing vessel operates shall be responsible for obtaining the TTF(s), retaining documentation of the unloading, including recording of the total confirmed scale weight if the tuna is weighed at that time, and verifying that the dolphin safe tuna is kept separated from the non-dolphin safe tuna during the carrier loading and transporting process. Dolphin safe tuna and non-dolphin safe tuna may be stored in the same hold on a carrier vessel provided that the two are kept physically separate, using netting or similar material, and the non-dolphin safe tuna is clearly labeled as such.
4. If the tuna is unloaded directly to a processing facility, the national authority in whose area of jurisdiction the tuna is to be processed shall be responsible for retaining documentation of the unloading of the tuna and recording of the separate confirmed scale weight for dolphin safe and non-dolphin safe tuna. The competent national authority shall take possession of the original TTF for entry of the information into a database and for continued tracking of that tuna, and a copy of the TTF(s) shall be forwarded to the national authority of the state under whose jurisdiction the fishing vessel operates if different from the state where the tuna is processed.
5. Dolphin safe and non-dolphin safe tuna shall be unloaded from fishing or carrier vessels into separate bins. Each bin shall be identified with the corresponding TTF number, the dolphin safe status of the tuna, and confirmed scale weight for the tuna in that bin.
6. Each sale of a portion of the catch shall reference the corresponding TTF number, which will accompany the tuna through every step of processing. In the event of transfers after the national authority has taken possession of the TTF(s), the transferring party shall be responsible for reporting any such transfer to the competent national authority, specifying the TTF number(s), the species and quantity (scale weight) of tuna being transferred, and the recipient.
7. The Parties shall determine means by which to document, within this system, tuna unloaded by purse-seine vessels operating in the Agreement Area but not covered by the AIDCP. Tracking shall include confirmation of unloaded weight and, at the discretion of each Party, review of the vessel logbook.

## **6. STORAGE, PROCESSING, AND MARKETING**

The Parties may establish tracking and verification procedures for storage, processing, and marketing of tuna and tuna products that best fit the business practices within their own territories, as long as those procedures include the following requirements:

- (c) Any change in ownership of any unprocessed tuna covered by a TTF number shall be handled in accordance with Section 5, paragraphs 3 and 4, and shall be reported to the competent national authority.
- (d) During processing, dolphin safe and non-dolphin safe tuna shall not be processed on the same lines at the same time.
- (e) Processors shall maintain records complete enough to allow the lot numbers of processed tuna to be traced back to the corresponding TTF number.
- (f) Processed dolphin safe tuna destined for export shall be accompanied by appropriate certification of such status issued by the competent national authority, including reference to the correspond-

ing TTF number, provided that such documentation shall not reference details of fishing operations, except as relates to identification of types of fishing gear.

## **7. PERIODIC AUDITS AND SPOT CHECKS**

Consistent with the principles and objectives of the AIDCP concerning multilateral cooperation in the management and implementation of this program, the national programs established by the Parties to track and verify tuna harvested by vessels in the Agreement Area shall include periodic audits and spot checks for caught, landed and processed tuna products, mechanisms for communication and cooperation between and among national authorities, and timely access to relevant data.

The Parties commit, while reserving their national sovereignty prerogatives, to work cooperatively towards the development of an international program to facilitate general reviews and spot checks of national tracking and verification programs. Consistent with this commitment, the Parties shall make available, or request the Secretariat to make available, to the International Review Panel (IRP) such reports and documentation on the tracking and verification program, including TTFs, as might be requested by that Panel, provided that the presentation of such documentation shall be subject to normal IRP confidentiality measures.

## **Appendix 10.**

### **RECOMMENDATION TO THE PARTIES REGARDING AMENDMENT OF THE TUNA TRACKING AND VERIFICATION SYSTEM**

The IRP agrees to recommend to the Meeting of the Parties the following additions to Section 2, paragraph 2, of the System for Tracking and Verifying Tuna:

In case a representative of a vessel's national authority is not present to meet the vessel when it arrives in port, the observer may leave the completed original TTFs with the captain of the vessel and take a copy of the TTFs with him to be submitted to the Secretariat within 24 hours of leaving the vessel. This procedure shall in no way diminish the responsibility of Parties under normal circumstances to meet their vessels or to make alternate arrangements consistent with procedures set forth in this system.

The national authority of the state in which tuna is unloaded or transferred may assume responsibility for observing such unloadings or transfers at their ports if a representative of the national authority of the flag state is not present.

## **Appendix 11.**

### **RESOLUTION ON DOLPHIN NECROPSY STUDY AND INTERGOVERNMENTAL COLLABORATION ON THE AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**

**11 October 1999**

*The Parties to the Agreement on the International Dolphin Conservation Program:*

*Recognizing* that the Agreement on the International Dolphin Conservation Program urges Parties to promote and support research to improve gear, equipment, and fishing techniques, including those used in the fishery for tunas associated with dolphins;

*Acknowledging* that the U.S. International Dolphin Conservation Program Act establishes a program of research on the dolphin stocks associated with the purse-seine fishery for tuna in the eastern Pacific Ocean to monitor their abundance and study possible stress-related effects that might be related to the chase and capture of dolphins associated with tuna;

*Noting* that the first year of the study of population abundance has been completed, and the second of the three years of surveys is now in progress;

*Noting further* that analyses of historical data are now in progress and that the technicians have been trained, but that the rest of the program, involving field activities related to necropsies of dolphins taken in the purse-seine fishery, and a related experiment to study effects of stress in live dolphins during repeated chase and recapture of the same animals, have yet to begin;

*Recognizing* that to date no field activities have been carried out, and therefore no samples nor information have been collected;

*Acknowledging* that this information is critical to increase understanding of the possible effects of tuna fishing on the dolphin stocks in the eastern Pacific Ocean,

*Commit to:*

- Participating fully in the needed necropsy studies;
- Assigning and placing, as soon as possible, technicians on tuna purse-seine vessels fishing in association with dolphins to collect samples from the maximum number of trips possible during 1999; and
- Continuing this necropsy sampling effort in 2000.

**Appendix 12.**

**SUMMARY OF POSSIBLE INFRACTIONS  
IDENTIFIED BY THE INTERNATIONAL REVIEW PANEL**

During the 21st, 22nd, and 23rd meetings

**MAJOR INFRACTIONS:**

Trips without an observer .....	1
Trips with dolphin sets but no DML assigned .....	0
Trips with an unlicensed or suspended fishing captain .....	0
Trips without a dolphin safety panel .....	82
Intentional sets made after reaching the DML .....	0
Sets on banned stocks or school types .....	0
Sets without a required backdown (occurred in 10 trips) .....	12
Sets with dolphin sack-up or brail (occurred in 5 trips) .....	5
<b>Total .....</b>	<b>100</b>

**OTHER INFRACTIONS:**

Trips without a required raft .....	94
Trips with speedboats lacking towing bridles .....	29
Trips without a required high intensity floodlight .....	137
Trips without required facemasks .....	75
Night sets (occurred in 45 trips) .....	73
Sets with use of explosives (occurred in 56 trips) .....	224
Sets without required rescue (occurred in 3 trips) .....	3
<b>Total .....</b>	<b>635</b>

Cases of observer interference .....	12
Trips reviewed in these meetings .....	696
Dolphin sets reviewed in these meetings .....	8352
Accidental sets reviewed in these meetings .....	9

### Appendix 13.

#### POSSIBLE INFRACTIONS IDENTIFIED BY THE IRP

Brief descriptions of government actions taken, as reported to the Secretariat by July 17, 2000, are included. If no action is listed for a possible infraction, the Secretariat has not received a response from the government.

The "Others" category includes all fleets with three vessels or less (Belize, El Salvador, Honduras, Nicaragua).

Abbreviations: DSP = Dolphin Safety Panel

<b>COLOMBIA</b>			
<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
COL 1	1999-175	1999/10	1) 7 Explosives use
COL 2	1999-468	2000/01 2000/01	1) 1 Explosives use 2) 1 No floodlight
COL 3	1999-255	1999/10	1) 1 Explosives use
COL 4	1999-499	2000/01 2000/01	1) 1 Night sets 2) 1 No mask/snorkel
COL 5	1999-123	1999/06 1999/06 1999/06	1) 2 Night sets 2) 1 Explosives use 3) 1 No floodlight
<b>ECUADOR</b>			
<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
ECU 1	1999-051	1999/06 1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No mask/snorkel
	1999-130	1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No raft
	1999-170	1999/06 1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No mask/snorkel
	1999-208	1999/06 1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight
	1999-230	1999/06 1999/06 1999/06 1999/06	4) 1 No mask/snorkel 1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight 4) 1 No mask/snorkel
	1999-343	1999/10 1999/10	1) 1 Fishing without a DSP 2) 1 No raft
ECU 2	1999-098	1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No mask/snorkel
	1999-168	1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No mask/snorkel
	1999-252	1999/06	1) 1 Fishing without a DSP
ECU 3	1999-061	1999/06	1) 1 No floodlight
	1999-139	1999/06	1) 1 No floodlight
ECU 4	1999-062	1999/06 1999/06 1999/06	1) 1 No raft 2) 1 No floodlight 3) 1 No mask/snorkel
ECU 5	1998-581	1999/06 1999/06 1999/06 1999/06	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight 4) 1 No mask/snorkel

	1999-042	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
	1999-112	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-202	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
	1999-274	1999/10	1) 1 No raft
		1999/10	2) 1 No floodlight
		1999/10	3) 1 No mask/snorkel
	1999-344	1999/10	1) 1 No floodlight
	1999-347	1999/10	1) 1 No floodlight
	1999-391	1999/10	1) 1 No floodlight
	1999-421	1999/10	1) 1 No floodlight
	1999-481	1999/10	1) 1 No floodlight
	1999-556	2000/01	1) 1 No floodlight
	1999-606	2000/01	1) 1 No floodlight
	1999-663	2000/01	1) 1 No floodlight
ECU 6	1999-041	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
ECU 7	1999-146	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No mask/snorkel
	1999-188	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No mask/snorkel
	1999-278	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No mask/snorkel
ECU 8	1999-157	1999/10	1) 1 Night sets
ECU 9	1999-132	1999/06	1) 1 No speedboat bridles
		1999/06	2) 1 No mask/snorkel
ECU 10	1998-573	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-082	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-210	1999/06	1) 1 No raft
		1999/06	2) 1 No speedboat bridles
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-302	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
		1999/10	4) 1 No mask/snorkel
ECU 11	1998-579	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-104	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-204	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
	1999-281	1999/10	1) 1 No raft
		1999/10	2) 1 No floodlight
		1999/10	3) 1 No mask/snorkel



ECU 12	1999-115	1999/06	1) 1 No floodlight
	1999-217	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-426	1999/10	1) 1 No floodlight
1999-528	2000/01	1) 1 No floodlight	
	2000/01	2) 1 No mask/snorkel	
ECU 13	1998-575	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
	1999-054	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No mask/snorkel
	1999-064	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No mask/snorkel
	1999-119	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
	1999-640	2000/01	1) 1 Fishing without a DSP
		2000/01	2) 1 No raft
		2000/01	3) 1 No mask/snorkel
1999-655	2000/01	1) 1 Fishing without a DSP	
	2000/01	2) 1 No raft	
	2000/01	3) 1 No mask/snorkel	
ECU 14	1999-060	1999/06	1) 1 No speedboat bridles
	1999-171	1999/06	1) 1 No floodlight
ECU 15	1999-057	1999/06	1) 1 Explosives use
		1999/06	2) 1 No speedboat bridles
		1999/06	3) 1 No mask/snorkel
<b>Action taken:</b> 1) The fishing captain was dismissed; the vessel owner was warned and a provisional fishing permit was issued.			
ECU 16	1998-606	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-111	1999/06	1) 1 Observer interference
<b>Action taken:</b> 1) The government initiated the proper administrative process.			
1999-453	1999/10	1) 1 Observer interference	
ECU 17	1999-086	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-165	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
	1999-241	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
	1999-308	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
ECU 18	1999-072	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
	1999-221	1999/06	1) 1 No floodlight
	1999-245	1999/10	1) 1 No floodlight

ECU 19	1998-570	1999/06	1) 1 No mask/snorkel
	1999-043	1999/06	1) 1 No raft
	1999-108	1999/06	1) 1 No raft
		1999/06	2) 1 No mask/snorkel
1999-174	1999/06	1) 1 No mask/snorkel	
ECU 20	1998-577	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
ECU 21	1998-604	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
ECU 22	1998-605	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
ECU 23	1998-557	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
ECU 24	1998-584	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-077	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
	1999-109	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
	1999-209	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
1999/06		3) 1 No floodlight	
1999/06		4) 1 No mask/snorkel	
1999-275	1999/10	1) 1 Fishing without a DSP	
	1999/10	2) 1 No raft	
	1999/10	3) 1 No floodlight	
ECU 25	1998-550	1999/06	1) 1 No floodlight
		1999/06	2) 1 No mask/snorkel
	1999-067	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No floodlight
		12/1999/06	3) 1 No mask/snorkel
ECU 26	1999-323	1999/10	1) 1 No speedboat bridles
	1999-545	2000/01	1) 1 No speedboat bridles
ECU 27	1999-022	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-071	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-141	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-238	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel

	1999-270	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
		1999/10	4) 1 No mask/snorkel
	1999-349	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
		1999/10	4) 1 No mask/snorkel
ECU 28	1998-567	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-190	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
ECU 29	1998-558	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-076	1999/06	1) 1 No raft
	1999-156	1999/06	1) 1 No raft
	1999-272	1999/10	1) 1 No raft
		1999/10	2) 1 No mask/snorkel
ECU 30	1999-038	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-133	1999/06	1) 1 No raft
	1999-560	2000/01	1) 1 No speedboat bridles
ECU 31	1998-578	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-101	1999/06	1) 1 No raft
	1999-257	1999/10	1) 1 No raft
ECU 32	1998-585	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
	1999-075	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No mask/snorkel
ECU 33	1999-025	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-213	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-296	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
ECU 34	1998-571	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
	1999-094	1999/06	1) 1 No floodlight
	1999-211	1999/06	1) 1 No floodlight
	1999-404	1999/10	1) 1 No floodlight
	1999-521	2000/01	1) 1 No floodlight

ECU 35	1999-027	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
	1999-180	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
	1999-414	2000/01	1) 1 No floodlight
	1999-591	2000/01	1) 1 Observer interference
		2000/01	2) 1 Night sets
		2000/01	3) 1 No floodlight

---



---

**SPAIN**

---

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>	
ESP 1	1999-224	1999/10	1) 1 No mask/snorkel	
	1999-346	1999/10	1) 1 No raft	
ESP 2	1999-018	1999/06	1) 1 Fishing without a DSP	
		1999/06	2) 1 No raft	
		1999/06	3) 1 No floodlight	
		1999/06	4) 1 No mask/snorkel	
	1999-127	1999/06	1) 1 Fishing without a DSP	
		1999/06	2) 1 No raft	
		1999/06	3) 1 No floodlight	
		1999/06	4) 1 No mask/snorkel	
	1999-239	1999/06	1) 1 Fishing without a DSP	
		1999/06	2) 1 No floodlight	
	1999-318	1999/10	1) 1 Fishing without a DSP	
	1999-362	1999/10	1) 1 Fishing without a DSP	
	1999-441	1999/10	1) 1 Fishing without a DSP	
		1999/10	2) 1 No floodlight	
	1999-503	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No floodlight	
	1999-578	2000/01	1) 1 No floodlight	
	ESP 3	1998-592	1999/06	1) 1 Fishing without a DSP
			1999/06	2) 1 No floodlight
		1999-065	1999/06	1) 1 Fishing without a DSP
1999/06			2) 1 No floodlight	
1999-232		1999/10	1) 1 Fishing without a DSP	
1999-376		1999/10	1) 1 Fishing without a DSP	
		1999/10	2) 1 No raft	
		1999/10	3) 1 No floodlight	
1999-419		1999/10	1) 1 Fishing without a DSP	
		1999/10	2) 1 No raft	
		1999/10	3) 1 No floodlight	
1999-473		2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No raft	
1999-516		2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No raft	
1999-587		2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No floodlight	
1999-637		2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 Observer interference	
		2000/01	3) 1 No floodlight	
			<b>Action taken:</b> 2) After investigating, the government decided that no infraction occurred.	
ESP 4	1999-030	1999/06	1) 1 No raft	
	1999-142	1999/06	1) 1 No raft	
	1999-307	1999/10	1) 1 No mask/snorkel	
	1999-387	1999/10	1) 1 No mask/snorkel	

ESP 5	1999-029	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
	1999-228	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
		1999/10	4) 1 No mask/snorkel
	1999-375	1999/10	1) 1 Fishing without a DSP
		1999/10	2) 1 No raft
		1999/10	3) 1 No floodlight
		2000/01	4) 1 No mask/snorkel
	1999-440	2000/01	1) 1 Fishing without a DSP
		2000/01	2) 1 No raft
		2000/01	3) 1 No floodlight
		2000/01	4) 1 No mask/snorkel
1999-529	2000/01	1) 1 Fishing without a DSP	
	2000/01	2) 1 No raft	
	2000/01	3) 1 No floodlight	
	2000/01	4) 1 No mask/snorkel	

---



---

**GUATEMALA**

---

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>	
GTM 1	1999-586	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No floodlight <b>Action taken:</b> 1) 2) After investigating, the government decided that no infraction occurred.	
	1999-638	2000/01	1) 1 Fishing without a DSP <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.	
GTM 2	1999-493	1999/10	1) 1 No floodlight <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.	
	1999-551	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No floodlight <b>Action taken:</b> 1) 2) After investigating, the government decided that no infraction occurred.	
	1999-627	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No speedboat bridles	
		2000/01	3) 1 No floodlight <b>Action taken:</b> 1) 2) 3) After investigating, the government decided that no infraction occurred.	
GTM 3	1999-514	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No raft <b>Action taken:</b> 1) 2) After investigating, the government decided that no infraction occurred.	
	1999-592	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No raft	
		2000/01	3) 1 No floodlight	
		2000/01	4) 1 No mask/snorkel <b>Action taken:</b> 1) 2) 3) 4) After investigating, the government decided that no infraction occurred.	
	1999-647	2000/01	1) 1 Fishing without a DSP	
		2000/01	2) 1 No raft <b>Action taken:</b> 1) 2) After investigating, the government decided that no infraction occurred.	
	GTM 4	1999-515	2000/01	1) 1 Fishing without a DSP
			2000/01	2) 1 No raft <b>Action taken:</b> 1) 2) After investigating, the government decided that no infraction occurred.

<b>MEXICO</b>			
<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
MEX 1	1999-597	2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 2	1999-331	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
MEX 3	1999-125	2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 4	1999-611	2000/01	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 5	1999-271	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
MEX 6	1999-580	2000/01 2000/01	1) 1 Sets sackup/brail 2) 2 Explosives use <b>Action taken:</b> 1) 2) The government initiated the proper administrative process.
MEX 7	1999-011	1999/10	1) 1 Explosives use <b>Action taken:</b> 1) After investigating, the government did not find enough elements to follow an administrative procedure.
MEX 8	1999-600	2000/01	1) 2 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 9	1999-015 1999-540	2000/01 2000/01	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process. 1) 2 Explosives use <b>Action taken:</b> 1) The government is investigating the possible infractions.
MEX 10	1999-279	1999/10	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 11	1999-253	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
MEX 12	1999-114	1999/10	1) 1 Sets without rescue <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
MEX 13	1999-161	1999/06	1) 1 Night sets <b>Action taken:</b> 1) The government decided not to apply a sanction, but recommended that the fishing captain avoid this type of infraction.
MEX 14	1998-381 1999-384	2000/01 2000/01 2000/01	1) 2 Night sets 2) 1 No speedboat bridles <b>Action taken:</b> 1) 2) The government initiated the proper administrative process. 1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 15	1999-309 1999-425 1999-570	1999/10 2000/01 2000/01	1) 1 Night sets <b>Action taken:</b> 1) The government initiated the proper administrative process. 1) 1 Sets without rescue <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred. 1) 2 Night sets <b>Action taken:</b> 1) The government urged the fishing captain to avoid this infraction.
MEX 16	1999-079 1999-298 1999-538	1999/10 1999/10 2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided. 1) 1 Observer interference <b>Action taken:</b> 1) The case was turned over to the government's legal department for the application of the corresponding economic sanction. 1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 17	1999-537	2000/01	1) 1 Night sets <b>Action taken:</b> 1) The government urged the fishing captain to avoid this infraction.

MEX 18	1999-012	1999/06	1) 1 No backdown <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
MEX 19	1998-597	1999/06	1) 2 Night sets <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-083	1999/10	1) 1 Night sets <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-222	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
	1999-552	2000/01	1) 1 Night sets <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 20	1998-559	1999/06	1) 1 Explosives use
		1999/06	2) 1 No floodlight <b>Action taken:</b> 1) The government is investigating the possible infraction. 2) A warning was issued to avoid this type of infraction.
	1999-131	1999/06	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-327	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
	1999-554	2000/01	1) 1 No floodlight <b>Action taken:</b> 1) The government recommended that the vessel owner provide the required equipment.
MEX 21	1999-003	1999/06	1) 10 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-185	1999/06	1) 1 Observer interference
		1999/06	2) 20 Explosives use <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred. 2) The government initiated the proper administrative process.
	1999-398	2000/01	1) 4 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-491	2000/01	1) 2 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-510	2000/01	1) 8 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 22	1999-609	2000/01	1) 1 Observer interference
		2000/01	2) 1 Explosives use <b>Action taken:</b> 1) 2) The government initiated the proper administrative process.
MEX 23	1998-562	1999/10	1) 1 No floodlight <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
MEX 24	1999-192	1999/06	1) 1 No floodlight <b>Action taken:</b> 1) A warning was issued to avoid this type of infraction.
	1999-465	1999/10	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 25	1998-595	1999/06	1) 2 No backdown <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
MEX 26	1999-263	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
	1999-601	2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 27	1999-407	1999/10	1) 1 Observer interference <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred, but issued a warning to avoid this kind of situation.
	1999-593	2000/01	1) 1 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 28	1999-021	1999/06	1) 1 No floodlight <b>Action taken:</b> 1) A warning was issued to avoid this type of infraction.

	1999-050	1999/06	1) 1 No floodlight <b>Action taken:</b> 1) A warning was issued to avoid this type of infraction.
	1999-482	2000/01	1) 1 No floodlight <b>Action taken:</b> 1) The government recommended that the vessel owner provide the required equipment.
	1999-598	2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 29	1998-599	1999/06	1) 3 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-569	2000/01	1) 1 Night sets <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 30	1998-603	1999/10	1) 1 No speedboat bridles <b>Action taken:</b> 1) A letter was sent asking that this type of infraction be avoided.
	1999-568	2000/01 2000/01	1) 1 Observer interference 2) 1 Explosives use <b>Action taken:</b> 1) 2) The government initiated the proper administrative process.
MEX 31	1999-462	2000/01	1) 1 No floodlight <b>Action taken:</b> 1) The government recommended that the vessel owner provide the required equipment.
MEX 32	1998-596	1999/06 1999/06 1999/06	1) 1 Night sets 2) 27 Explosives use 3) 1 No floodlight <b>Action taken:</b> 1) 2) The government initiated the proper administrative process. 3) A warning was issued to avoid this type of infraction.
	1999-365	1999/10 1999/10	1) 1 Sets sackup/brail 2) 9 Explosives use <b>Action taken:</b> 1) 2) The government initiated the proper administrative process.
	1999-494	1999/10	1) 2 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
	1999-539	2000/01	1) 1 Night sets <b>Action taken:</b> 1) The government urged the fishing captain to avoid this infraction.
	1999-651	2000/01	1) 4 Explosives use <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 33	1999-151	2000/01	1) 1 No speedboat bridles <b>Action taken:</b> 1) The government initiated the proper administrative process.
MEX 34	1999-117	1999/06	1) 1 Observer interference <b>Action taken:</b> 1) The government urged the vessel owner to avoid this infraction.
	1999-178	1999/06	1) 1 Night sets <b>Action taken:</b> 1) The government decided not to apply a sanction, but recommended that the fishing captain avoid this type of infraction.

#### PANAMA

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
PAN 1	1999-392	1999/10	1) 1 No floodlight <b>Action taken:</b> 1) A sanction was applied
PAN 2	1999-610	2000/01	1) 1 No floodlight <b>Action taken:</b> 1) The government is investigating the possible infractions.
PAN 3	1999-522	2000/01	1) 1 No floodlight <b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.

#### UNITED STATES

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
USA 1	1999-026	1999/06	1) 1 No speedboat bridles <b>Action taken:</b> 1) The vessel has obtained the required equipment.
USA 2	1999-523	2000/01	1) 1 Observer interference <b>Action taken:</b> 1) The government is investigating the possible infractions.



**VENEZUELA**

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
VEN 1	1999-329	1999/10 1999/10 1999/10 1999/10	1) 1 No backdown 2) 1 Sets sackup/brail 3) 1 No raft 4) 1 No floodlight <b>Action taken:</b> 1) 2) 3) 4) A fine was applied.
VEN 2	1999-059 1999-203 1999-336	1999/06 1999/06 1999/06 1999/10 1999/10	1) 1 No floodlight 1) 1 No speedboat bridles 2) 1 No floodlight 1) 2 No backdown 2) 1 Sets sackup/brail <b>Action taken:</b> 1) 2) A fine was applied.
VEN 3	1999-184 1999-457	1999/06 2000/01	1) 1 No backdown <b>Action taken:</b> 1) A fine was applied. 1) 2 Explosives use
VEN 4	1999-019	1999/06 1999/06	1) 1 Night sets 2) 10 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
VEN 5	1999-032	1999/06	1) 2 Night sets <b>Action taken:</b> 1) A fine was applied.
VEN 6	1999-135	1999/06	1) 1 Explosives use <b>Action taken:</b> 1) A fine was applied.
VEN 7	1999-016 1999-287 1999-368 1999-530	1999/06 1999/10 1999/10 2000/01	1) 9 Explosives use <b>Action taken:</b> 1) A fine was applied. 1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied. 1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied. 1) 1 Night sets
VEN 8	1999-068 1999-118 1999-292 1999-466 1999-643	1999/06 1999/06 1999/10 2000/01 2000/01 2000/01	1) 1 Night sets <b>Action taken:</b> 1) A fine was applied. 1) 1 Night sets <b>Action taken:</b> 1) A fine was applied. 1) 2 Explosives use <b>Action taken:</b> 1) A fine was applied. 1) 1 Night sets <b>Action taken:</b> 1) A fine was applied. 1) 1 Night sets 2) 1 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
VEN 9	1999-434	2000/01 2000/01	1) 1 Night sets 2) 2 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
VEN 10	1999-007 1999-179 1999-337 1999-531	1999/06 1999/06 1999/06 1999/06 1999/10 2000/01	1) 3 Night sets 2) 2 Explosives use 3) 1 No speedboat bridles <b>Action taken:</b> 1) 2) 3) A fine was applied. 1) 3 Night sets 2) 2 Explosives use <b>Action taken:</b> 1) 2) A fine was applied. 1) 2 Explosives use <b>Action taken:</b> 1) A fine was applied. 1) 2 Night sets <b>Action taken:</b> 1) A fine was applied.
VEN 11	1999-017	1999/06	1) 1 No floodlight

	1999-153	1999/06	1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied.
	1999-236	1999/10 1999/10	1) 1 Explosives use 2) 1 No floodlight <b>Action taken:</b> 1) 2) A fine was applied.
	1999-459	1999/10	1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied.
VEN 12	1999-013	1999/06 1999/06 1999/06	1) 1 Sets sackup/brail 2) 2 Night sets 3) 1 Explosives use <b>Action taken:</b> 1) 2) 3) A fine was applied.
	1999-199	1999/06	1) 1 Explosives use <b>Action taken:</b> 1) A fine was applied.
	1999-264	1999/10 1999/10	1) 2 Night sets 2) 1 No floodlight <b>Action taken:</b> 1) 2) A fine was applied.
	1999-420	2000/01 2000/01	1) 4 Night sets 2) 1 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
VEN 13	1999-150	1999/06 1999/06 1999/10	1) 1 No backdown 2) 1 Sets without rescue 3) 1 Night sets <b>Action taken:</b> 1) 2) 3) A fine was applied.
VEN 14	1999-006	1999/06 1999/06	1) 2 Night sets 2) 1 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
	1999-265	1999/10	1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied.
VEN 15	1999-063	1999/06	1) 1 No backdown
	1999-193	1999/06 1999/06 1999/06	1) 1 Night sets 2) 22 Explosives use 3) 1 No floodlight <b>Action taken:</b> 1) 2) 3) A fine was applied.
	1999-333	1999/10 1999/10	1) 1 No backdown 2) 4 Explosives use <b>Action taken:</b> 1) 2) A fine was applied.
	1999-495	2000/01 2000/01	1) 1 No backdown 2) 2 Night sets
	1999-649	2000/01	1) 1 Night sets
VEN 16	1999-055	1999/06 1999/06	1) 6 Night sets 2) 1 No floodlight
	1999-234	1999/06	1) 2 Explosives use <b>Action taken:</b> 1) A fine was applied.
	1999-389	1999/10 1999/10 1999/10 1999/10	1) 1 Observer interference 2) 1 Night sets 3) 2 Explosives use 4) 1 No floodlight <b>Action taken:</b> 1) The government is investigating the possible infractions. 2) 3) 4) A fine was applied.
VEN 17	1999-152	1999/06	1) 3 Night sets <b>Action taken:</b> 1) A fine was applied.
	1999-218	1999/06	1) 3 Night sets
	1999-348	1999/10	1) 1 Night sets <b>Action taken:</b> 1) A fine was applied.
	1999-532	2000/01 2000/01	1) 1 Night sets 2) 5 Explosives use
VEN 18	1999-138	1999/06	1) 1 No floodlight <b>Action taken:</b> 1) A fine was applied.

VEN 19	1999-074	1999/06	1) 1 Explosives use
		1999/06	2) 1 No floodlight
			<b>Action taken:</b> 1) 2) A fine was applied.
	1999-160	1999/06	1) 3 Explosives use
	1999-486	2000/01	1) 3 Night sets
		2000/01	2) 4 Explosives use
			<b>Action taken:</b> 1) 2) A fine was applied.
	1999-616	2000/01	1) 1 Night sets
			<b>Action taken:</b> 1) A fine was applied.
VEN 20	1998-572	1999/06	1) 1 Explosives use
	1999-093	1999/06	1) 1 No floodlight
			<b>Action taken:</b> 1) A fine was applied.
	1999-244	1999/06	1) 1 No floodlight
VEN 21	1999-322	1999/10	1) 1 Night sets
		1999/10	2) 1 No floodlight
			<b>Action taken:</b> 1) 2) A fine was applied.

#### VANUATU

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
VUT 1	1999-084	1999/06	1) 1 No floodlight
	1999-197	1999/06	1) 1 No raft
	1999-408	1999/10	1) 1 No mask/snorkel
			<b>Action taken:</b> 1) The government recommended that the vessel owner provide the required equipment.
VUT 2	1999-004	1999/06	1) 1 Night sets
VUT 3	1998-582	1999/06	1) 17 Explosives use
	1999-335	1999/10	1) 1 Explosives use
			<b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
VUT 4	1998-545	1999/06	1) 1 No floodlight
	1999-088	1999/06	1) 1 No floodlight
	1999-183	1999/06	1) 1 No floodlight
VUT 5	1998-591	1999/06	1) 1 No floodlight
	1999-106	1999/06	1) 1 No floodlight
VUT 6	1999-235	1999/06	1) 1 No raft
		1999/06	2) 1 No floodlight
		1999/06	3) 1 No mask/snorkel
	1999-374	1999/10	1) 1 No speedboat bridles
			<b>Action taken:</b> 1) The vessel has obtained the required equipment.
VUT 7	1998-548	1999/06	1) 1 No floodlight
VUT 8	1999-023	1999/06	1) 1 No mask/snorkel
	1999-409	1999/10	1) 1 No mask/snorkel
			<b>Action taken:</b> 1) The government recommended that the vessel owner provide the required equipment.
	1999-508	2000/01	1) 1 No mask/snorkel
			<b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
VUT 9	1999-415	2000/01	1) 4 Explosives use
			<b>Action taken:</b> 1) The government is investigating the possible infractions.

#### OTHERS

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
OTH 1	1998-531	1999/06	1) 1 Fishing without a DSP
		1999/06	2) 1 No raft
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel

OTH 2	1999-034	1999/06	1) 1 No raft
		1999/06	2) 1 No speedboat bridles
		1999/06	3) 1 No floodlight
		1999/06	4) 1 No mask/snorkel
OTH 3	1999-200	1999/06	1) 4 Explosives use
			<b>Action taken:</b> 1) After investigating, the government decided that no infraction occurred.
OTH 4	1999-630	2000/01	1) 1 No backdown
OTH 5	1999-710	2000/01	1) 1 No Observer

## Appendix 14.

### RESPONSES FOR THREE TYPES OF POSSIBLE INFRACTIONS IDENTIFIED AT THE 21<sup>ST</sup>, 22<sup>ND</sup> AND 23<sup>RD</sup> MEETINGS OF THE IRP

#### OBSERVER HARASSMENT / INTERFERENCE

	No. of cases	No response	Responses											Total
			Under inves- tigation		No infraction		Infraction: no sanction		Infraction: warning		Infraction: sanction*			
Ecuador	3	2 (67%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (17%)	2 (33%)	1 (33%)	1 (33%)	1 (33%)	
Mexico	6	0 (0%)	1 (17%)	2 (33%)	0 (0%)	1 (17%)	2 (33%)	6 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	
Spain	1	0 (0%)	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	
USA	1	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	
Venezuela	1	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	
<b>Total:</b>	<b>12</b>	<b>2 (17%)</b>	<b>3 (25%)</b>	<b>3 (25%)</b>	<b>0 (0%)</b>	<b>1 (8%)</b>	<b>3 (25%)</b>	<b>10 (83%)</b>						

#### EXPLOSIVES USE

	No. of cases	No response	Responses											Total
			Under inves- tigation		No infraction		Infraction: no sanction		Infraction: warning		Infraction: sanction*			
Colombia	10	10 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Ecuador	1	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	1 (100%)	1 (100%)	
Mexico	105	0 (0%)	3 (3%)	1 (1%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	101 (96%)	105 (100%)	105 (100%)	
Nicaragua	4	0 (0%)	0 (0%)	4 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	4 (100%)	4 (100%)	
Vanuatu	22	17 (77%)	4 (18%)	1 (5%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	5 (23%)	5 (23%)	
Venezuela	82	11 (13%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	71 (87%)	71 (87%)	71 (87%)	
<b>Total:</b>	<b>224</b>	<b>38 (17%)</b>	<b>7 (3%)</b>	<b>6 (3%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>173 (77%)</b>	<b>186 (83%)</b>	<b>186 (83%)</b>	

#### NIGHT SETS

	No. of cases	No response	Responses											Total
			Under inves- tigation		No infraction		Infraction: no sanction		Infraction: warning		Infraction: sanction*			
Colombia	3	3 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Ecuador	2	2 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Mexico	15	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	6 (40%)	9 (60%)	15 (100%)	0 (0%)	0 (0%)	0 (0%)	15 (100%)	
Vanuatu	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Venezuela	52	14 (27%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	38 (73%)	38 (73%)	38 (73%)	
<b>Total:</b>	<b>73</b>	<b>20 (27%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>6 (8%)</b>	<b>47 (64%)</b>	<b>53 (73%)</b>					

\*Sanction was applied or will be applied