

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM  
**PERMANENT WORKING GROUP ON TUNA TRACKING**  
**38<sup>TH</sup> MEETING**

LA JOLLA, CALIFORNIA (USA)  
10 OCTOBER 2016

**DOCUMENT TT-38-04**

**MATTERS RELATED TO THE TUNA TRACKING AND DOLPHIN SAFE  
CERTIFICATION PROGRAMS**

This report provides information regarding the submission of Tuna Tracking Forms (TTFs) to the Secretariat as well as comparisons of dolphin safe certificates and their corresponding TTFs for trips that ended from 1 May through 31 August 2016. It also includes an overview of the historical rates of compliance of TTF submissions to the Secretariat since 2006, and provides updates regarding the special cases monitored by the Working Group.

**1. SUMMARY OF THE DOLPHIN SAFE CERTIFICATION PROGRAM**

The [Procedures for AIDCP dolphin safe tuna certification](#) establish the following criteria for issuing dolphin safe certificates:

1. The certificate is signed by a competent national authority whose signature is recognized by the Secretariat.
2. The certificate references a valid TTF (or TTFs) for dolphin safe tuna.
3. Tuna caught by vessels with DMLs is eligible for dolphin safe certification only if the fishing captain is on the List of Qualified Captains.
4. The competent national authority issuing the certificate has a tuna tracking system consistent with the AIDCP.

The Secretariat applies the following guidelines for queries about the authenticity of any dolphin safe certificate:

1. The Secretariat responds to questions about specific certificates from potential importing states or companies only.
2. If the certificate meets the four requirements above, the response is that the certificate is valid.
3. If the Secretariat does not have the information it needs to verify 1 or 2 above, it first asks the competent national authority to provide the information before replying.
4. Otherwise, the Secretariat replies that the certificate is not valid.
5. No other information is provided about the contents of the TTF.

**2. ORIGINAL TTFs RECEIVED BY THE SECRETARIAT**

Compliance by national authorities with respect to the timely submission of TTFs to the Secretariat for trips that ended between 1 May through 31 August 2016 is reflected in Table 1. As indicated in the ‘Trips’ column in the table, the Secretariat has received 309 original TTFs from the 329 trips completed during that period. Table 1 also shows the percentages of original TTFs received *versus* trips completed reported at this meeting and, for reference, the corresponding percentages presented at the working group’s previous three

meetings (35 through 37).

Table 2 shows the historical percentages of original TTFs received by the Secretariat since 2006 and reflects the total number of TTFs received, regardless of whether they were submitted consistent with the timing requirements or at a later date.

### **3. COPIES OF DOLPHIN-SAFE CERTIFICATES RECEIVED BY THE SECRETARIAT**

Between 1 May 2016 and 15 September 2016, the Secretariat received 258 copies of dolphin-safe certificates. Of these, 257, corresponding to 91 TTFs completed during 91 fishing trips, were considered valid; the other was invalidated by the national authority because of typographical errors. Figure 1 shows the comparison of estimated weights, as recorded by observers on the TTF-A<sup>1</sup>, and the recorded scale weight for each TTF included in the 257 valid dolphin-safe certificates from that period. The certified tonnage (13,004 t) represents 5.9% of the total of 218,063 t recorded as dolphin-safe on the TTFs of the 329 completed trips.

According to the Procedures for AIDCP [Dolphin Safe Tuna Certification](#), the national authority is notified of cases where the scale weight recorded for each TTF included in the dolphin safe certificates exceeds the estimated weight recorded by the observer in the RSA by 10% or more. In seven trips, the weight certificate exceeded the estimate in the corresponding TTF, but not by more than 9%, and therefore there were no notifications to the responsible authority.

### **4. MONITORING OF SPECIAL CASES**

During its 31<sup>st</sup> meeting in October 2012, the working group discussed three cases of apparent forgery of TTFs. One of these cases was presented at the 30<sup>th</sup> meeting in June 2012, and the other two at the 31<sup>st</sup> meeting in October 2012. Subsequently, at the 36<sup>th</sup> meeting in October 2015, a fourth case of apparent forgery of TTFs, was presented and discussed. Finally, during its 37<sup>th</sup> meeting in June 2016, the working group discussed a case in which catches shared between two vessels were not documented on the RSA.

The current situation regarding these cases is as follows:

#### **a) CASE TTF-30, fishing trip terminated in December 2011**

##### **Information presented at the 30<sup>th</sup> meeting of the working group**

In April and May 2012, letters were sent to both national authorities involved, the vessel's flag State and the port State where the relevant catches were unloaded, indicating that the TTFs received differed in that one included non-*dolphin safe* fish and the other did not. During the meeting, Venezuela identified itself as the flag State, and indicated that it had received the original TTF and sent it to the Secretariat; there were no discrepancies with the document completed by the observer. The discrepancy was with the copy obtained by the national authority of the Party where the first partial unloading took place, and Venezuela therefore had no elements to continue an investigation because the guidelines for managing TTFs had been complied with in its territory.

The national authority of the Party where the catch was initially unloaded has not answered formally, but in late March 2013, it indicated unofficially that an investigation has started (Document TT-32-04). At the time this report was posted (1 October 2016), the Secretariat had not received any further information.

#### **b) CASES TTF-31a, fishing trip terminated in July 2011; and TTF-31b, fishing trip terminated in November 2011**

##### **Information presented at the 31<sup>st</sup> meeting of the working group**

As in the previous case, the flag of the vessels is different from the unloading flag. Trip TTF-31a unloaded completely, while TTF-31b landed only part of the catch. In July 2012, a letter was sent to both national

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<sup>1</sup> Dolphin-safe tuna is recorded on the TTF-A, and non dolphin-safe tuna on the TTF-B

authorities involved, indicating that the TTFs received differed because one included non-dolphin safe fish and the other did not.

The national authority of the Party where the catch was unloaded has not answered formally, but in late March 2013 it indicated unofficially that an investigation has started. At the time this report was posted (1 October 2016), the Secretariat had not received any further information.

The national authority of the flag State also indicated informally that the records it sent to the Secretariat did not differ as regards the information recorded by the observer, and therefore an investigation was not required.

In none of these 3 cases was a dolphin-safe certificate issued of which the Secretariat has a copy. These cases were included in Documents TT-32-04, TT-33-04, TT-34-04, TT-35-04, TT-36-05, TT-36-06, and TT-36-07, as of the date of posting this document, the Secretariat has not received any further information from the national authority of the Party where the catch was unloaded and that sent the presumably altered copy.

**c) CASE TTF-32, fishing trip terminated in April 2010**

**Information presented at the 36<sup>st</sup> meeting of the working group**

This case is similar to case TTF-31a. At the 36<sup>th</sup> meeting, the national authority of the Party where the catch was unloaded suggested to the national authority of the vessel's flag State a report of the investigation carried out on these cases of apparent forgery, and it was agreed that a letter asking for the updated information would be sent. As of the date of posting this document, the Secretariat has not received any further information in this regard.

**d) CASE TTF-33, no documentation of catch share**

**Information presented at the 37<sup>th</sup> meeting of the Permanent Working Group on Tuna Tracking and at the 59<sup>th</sup> meeting of the International Review Panel.**

Two vessels of different flags, both with an observer aboard, shared the catch from a set, but this was not documented in either observer's records or on a TTF. The event was recorded in the logbooks of both vessels. In June 2016 the Secretariat informed the national authorities of both vessels, and the observers were questioned by staff of their respective programs. One observer said that a vessel officer asked him not to document the event to avoid problems with the owner of the vessel, but that there was no intimidation or attempted bribe, while the other observer denied that the event occurred.

At the date of preparation of this report, the Secretariat has received no response from either national authority. Both observers have been suspended, while the investigation by the competent authorities is pending, and both TTFs were declared invalid.

**e) CASE TTF-34, no documentation of catch share**

This is a new case presented to the working group. It is similar to the previous case because the tuna catch was shared but not documented on the TTF, but in this case both vessels were of the same flag. Also, the vessel which caught the fish did not have an AIDCP observer aboard because it is of less than 363 t carrying capacity, so is not required to do so. The observer of the receiving vessel did not record the alleged tuna transfer.

The catching vessel's logbooks refer to 'maneuvers' between the two vessels, and the vessel crew confirmed verbally that tuna was transferred from one vessel to the other.

The staff of the observer program interviewed the observer, who denied that the tuna transfer had occurred.

On 23 September, 2016 a communication was sent to the vessels' national authority.

As in the previous case, the observer has been suspended from his duties until the end of the investigation by

the authorities, and the TTF is considered invalid.

## 5. TABLES AND FIGURES

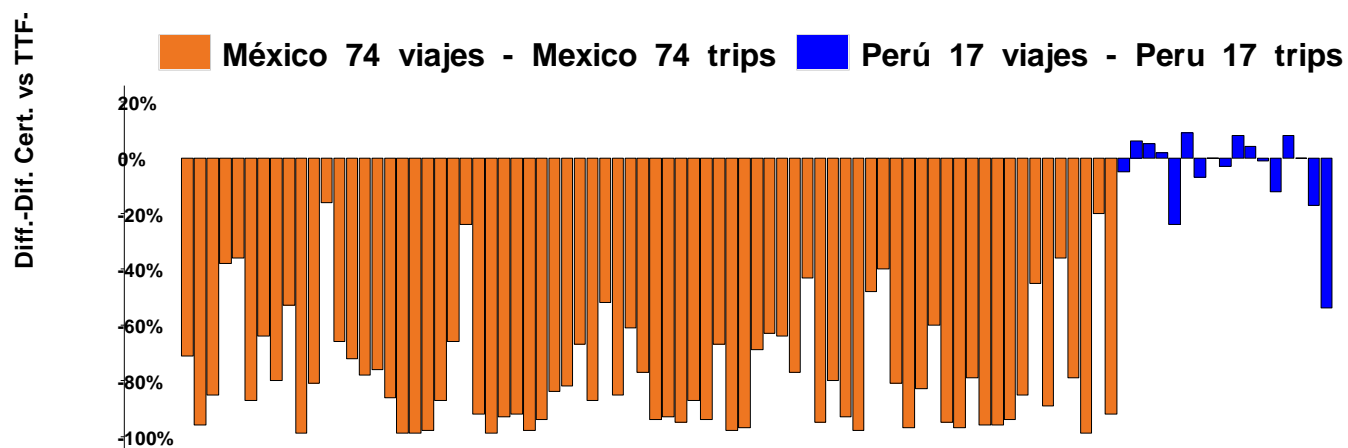
**TABLE 1.** Original TTFs received by the Secretariat, in accordance with paragraph 3.6 of the System for Tracking and Verifying Tuna, by national authority:

<b>Trips<sup>2</sup></b>			<b>% of originals received, reported by meeting</b>			
<b>National authority</b>	<b>Trips</b>	<b>TTFs received</b>	<b>TT-38 Oct -10</b>	<b>TT-37 Jun 20</b>	<b>TT-36 Oct -15</b>	<b>TT-35 Jul-15</b>
Colombia	COL	13	100	100	95	65
Costa Rica	CRI	8	100	86	100	87
Ecuador	ECU	175	159	91	95	83
El Salvador	SLV	8	8	100	100	75
European Union	EUR	0	-	-	100	56
Guatemala	GTM	7	6	86	75	100
Mexico	MEX	86	86	100	100	99
Panama	PAN	0	-	-	-	50
Peru	PER	11	10	91	54	52
United States	USA	15	15	100	94	100
Venezuela	VEN	6	4	67	50	75
<b>Total</b>	<b>329</b>	<b>309</b>	<b>94</b>	<b>94</b>	<b>93</b>	<b>85</b>

<sup>2</sup> Trips that ended from 1 May 2016 through 31 August 2016.

**TABLE 2.** Number of original TTFs received by the Secretariat since 2006, and the percentage (in parenthesis) of the total that it represents, by year in which the trip began.

National authority		Originals received from competent national authority in previous years (%)									
		2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
Bolivia	BOL	-	-	-	-	-	-	-	-	-	-
Colombia	COL	44 (92)	40 (100)	45 (96)	43 (100)	54 (100)	44 (100)	46 (90)	59 (87)	66 (99)	45 (92)
Costa Rica	CRI	12 (86)	20 (95)	16 (94)	18 (95)	18 (100)	7 (41)	2 (17)	20 (87)	30 (100)	27 (100)
Ecuador	ECU	474 (97)	420 (99)	409 (99)	385 (99)	360 (99)	307 (100)	352 (100)	399 (100)	338 (100)	391 (100)
El Salvador	SLV	13 (100)	19 (90)	21 (91)	24 (92)	28 (97)	16 (70)	35 (92)	37 (97)	41 (98)	35 (97)
European Union	EUR	5 (63)	9 (64)	5 (71)	17 (100)	5 (50)	3 (60)	4 (100)	5 (100)	1 (100)	-
Guatemala	GTM	15 (100)	17 (100)	18 (95)	16 (94)	14 (100)	25 (100)	16 (94)	7 (70)	14 (100)	12 (80)
México	MEX	227 (100)	188 (100)	187 (100)	207 (99)	205 (100)	180 (100)	189 (100)	192 (97)	201 (100)	168 (99)
Nicaragua	NIC	-	-	-	-	-	-	1 (50)	0 (0)	0 (0)	0 (0)
Panamá	PAN	-	1 (50)	-	-	1 (100)	2 (100)	3 (75)	3 (100)	4 (67)	4 (67)
Perú	PER	12 (48)	12 (100)	10 (100)	2 (100)	9 (90)	9 (82)	4 (67)	0 (0)	3 (100)	2 (100)
United States	USA	9 (90)	1 (100)	-	2 (100)	3 (100)	-	2 (100)	1 (100)	2 (100)	-
Venezuela	VEN	7 (100)	6 (100)	11 (92)	20 (100)	28 (82)	31 (100)	35 (92)	21 (62)	26 (100)	38 (84)
<b>Total</b>		<b>818 (96)</b>	<b>733 (98)</b>	<b>722 (98)</b>	<b>734 (99)</b>	<b>725 (98)</b>	<b>624 (97)</b>	<b>689 (96)</b>	<b>744 (95)</b>	<b>726 (99)</b>	<b>722 (97)</b>



**FIGURE 1.** Comparison of the estimated weights recorded by observers on the TTF-A and the scale weight recorded for each TTF included in the dolphin-safe certificates received. Updated to 20 September, 2016.