

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

MINUTES OF THE 33RD MEETING

**Antigua (Guatemala)
18 June 2003**

Presider: Luis Fueyo Macdonald (Mexico)

AGENDA

1. Opening of the meeting
2. Election of the Presider
3. Adoption of the agenda
4. Approval of the minutes of 32nd Meeting
5. Election of NGO representatives
6. Proposed Plan of Action for Enhancing Success of the AIDCP:
 - a. Terms of reference for the Scientific Advisory Board
 - b. Considerations for resuming routine biological sampling of dead dolphins
7. Review of dolphin mortality limits (DMLs) for 2003
8. Review of List of Qualified Captains
9. IRP Annual Report
10. Classification of infraction of setting on dolphins prior to notification to Director
11. Review of observer data
12. Review of actions by Parties on possible infractions reported by the IRP:
 - a. Actions taken since report at the 32nd meeting
 - b. Status review of special cases
13. Promotion of the Dolphin Safe Tuna Certification System
14. Report of the Permanent Working Group on Tuna Tracking
15. Recommendations for the Meeting of the Parties
16. Other business
17. Place and date of next meeting
18. Adjournment

APPENDICES

- Appendix 1. List of attendees
- Appendix 2 DMLs in 2003
- Appendix 3 List of infractions
- Appendix 4 Responses received from the Parties to possible infractions identified by the IRP
- Appendix 5 Chair's Report, 13th meeting of the Permanent Working Group on Tuna Tracking

DOCUMENTS

- [IRP-33-09](#) Classification of infraction of setting on dolphins prior to notification to Director
- [IRP-33-11](#) Proposed plan for enhancing success of the Agreement
- [IRP-33-11a](#) Proposed Terms of reference for the Scientific Advisory Board
- [IRP-33-11b](#) Considerations for instituting dolphin specimen collection by observers

The 33rd Meeting of the International Review Panel (IRP) was held in Antigua (Guatemala) on June 18, 2003. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Robin Allen, Director of the IATTC, which serves as the Secretariat for the AIDCP, declared the meeting open.

2. Election of the President

Mr. Luis Fueyo MacDonald, of Mexico, was elected President of the meeting.

3. Adoption of the agenda

The provisional agenda was adopted with some changes in the order of the items and the deletion of the item on a proposed amendment to the AIDCP regarding vessel capacity/observer requirement, which the Panel decided should be discussed in the Meeting of the Parties.

4. Approval of the minutes of the 32nd Meeting

The European Union (EU) submitted a paragraph in writing for inclusion under Item 19 of the minutes. With this addition, the minutes were approved.

5. Election of NGO representatives

Dr. Allen explained that the governmental members had voted by correspondence and elected Ms. Kitty Block and Dr. Héctor López as environmentalist NGO members of the IRP, but because of a tied vote for the third environmental member, an election needed to take place at this meeting. Mr. Moisés Mug of WWF was duly elected, with Ms. Nina Young of Ocean Conservancy as alternate.

6. Proposed Plan of Action for enhancing success of the AIDCP

The United States introduced this item by noting that a Plan was proposed at the 32nd meeting of the Panel, but that there was insufficient time to discuss the issue at that meeting. All of the participating governments supported in principle the idea of a plan to improve the Agreement, and several had ideas and concrete suggestions on matters to be included in such a plan in addition to those initially suggested by the United States.

The discussion and negotiation of the proposed plan continued throughout the meeting. In the end, a plan was agreed by consensus among all the participating governments and forwarded to the Meeting of the Parties for approval.

Agenda item 6(a), *Terms of reference for the Scientific Advisory Board (SAB)* (Document [IRP-33-11a](#)), was addressed in the agreed plan. Regarding agenda item 6(b), *Considerations for resuming routine biological sampling of dolphins* (Document [IRP-33-11b](#)), Dr. Allen explained the background of this matter, and the Panel agreed that it should be dealt with by the SAB once it is established.

7. Review of dolphin mortality limits (DMLs) for 2003

The Secretariat reviewed the status of the assignments, reallocations, and utilization of DMLs in 2003 to date (Appendix 2).

8. Review of List of Qualified Captains

The Secretariat provided an update on the status of the List of Qualified Captains, noting that, since the last meeting of the Panel, 11 captains had been added to the List, 2 had been removed, 5 had been re-instated after 3-month suspensions, and one had been suspended and not yet re-instated.

9. IRP Annual Report

The Panel discussed the draft report prepared by the Secretariat, and approved it with some minor

modifications for forwarding to the Meeting of the Parties. During the discussion, the Panel decided that the attention of the Parties should be drawn in particular to the following points in its report: (1) generally, compliance with the Agreement has improved in terms of the number of violations and response time by governments, but there was still room for improvement in this area; (2) the number of vessels not making the required weekly reports is much too high; (3) the Parties should consider requiring governments to report the specific nature of sanctions imposed, including amounts of fines, so that the deterrent value of penalties could be analyzed.

10. Classification of infraction of setting on dolphins prior to notification to Director

Dr. Allen presented Document [IRP-33-09](#), and explained that there have been, over the years, several cases of vessels that have been allocated a DML by their government and have proceeded to set on dolphins prior to the government notifying the Director of the initial allocation of its distributed DML among its fleet. This is a violation of the Agreement, which states, in Annex IV (I) 11, that “No vessel may begin fishing for tunas associated with dolphins until the Director receives such notification.”

Dr. Allen noted that the problem is that the IRP has not established a proper category for this infraction. The Secretariat has been categorizing such cases as setting on dolphins without a DML, a major infraction of the AIDCP. This places the case in the same category as that of an unqualified vessel which sets on dolphins without receiving a DML, an obvious major violation. To remedy this problem, the Secretariat recommends adding a new type of infraction entitled “Setting on dolphins prior to notification to the Director”, to be included in the “Other infraction” category.

The Panel approved this proposal; thus, the full list of major and other infractions of the AIDCP is now as in Appendix 3.

11. Review of observer data

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions that had occurred since the Panel’s previous meeting. Each case was discussed, and the Panel decided to forward those that indicated possible infractions of the AIDCP to the responsible government for investigation and possible sanction.

After examining the possible infractions, the Panel noted that many of these correspond to trips with captains not on the List of Qualified Captains and vessels that depart without all the required equipment on board and in good working order. Several delegations expressed the view that vessels should not be allowed to depart if either or both of these situations obtained. There was agreement that this policy should be considered further, although it was recognized that it could cause logistical and procedural difficulties. The Secretariat was asked to examine the logistical issues associated with establishing procedures to prevent vessels from departing without a qualified captain or all of the required equipment.

It was agreed that the Secretariat shall conduct a review of the existing requirements associated with this matter, including any requirements for qualified captains on trips by vessels with DMLs which do not set on dolphins, and the possibility that one criterion for issuing dolphin safe certificates for tuna taken by vessels with DMLs should be that the captain was on the List of Qualified Captains.

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

a. Actions taken since report at the 32nd meeting

The Secretariat presented tables (Appendix 4) detailing the responses received from the Parties in cases of possible infractions identified by the previous three meetings of the IRP. The Secretariat also presented information on the status of all cases involving possible major infractions identified by the IRP since the beginning of the AIDCP through the 32nd meeting of the IRP.

b. Status review of special cases

The Secretariat reviewed the status of several special cases identified as such by previous meetings of the

Panel.

During the review of the observer data, the Panel noted several incidents which it considered to be special cases, the status of which would then be reviewed at the next meeting of the Panel.

It was agreed that the case of the captain who is permanently removed from the List of Qualified Captains and continues to act as fishing captain aboard vessels with DMLs be forwarded to the Meeting of the Parties for action.

The IRP also determined that case 2003-101 should be identified as a special case, and agreed to ask the Meeting of the Parties to consider whether to contact the flag state regarding the actions of this vessel .

13. Promotion of the Dolphin Safe Tuna Certification System

It was decided to address this item during the Meeting of the Parties.

The EU delegation asked that the following statement be included in these minutes:

“EC recalled that during the first meeting of the Working Group on Promotion, held in February last in La Jolla, a long discussion took place on the possibility of organising a promotional trip to Europe in margin of the COFI meeting in March. Whilst Mexico and other Parties pushed to have another trip organised in Europe later on, no agreement was reached on this second trip, and due to lack of time, the Chair’s report was neither discussed nor agreed.

EC was not opposed to the organisation of such promotional trips, but at the same time it underlined that a series of conditions were necessary to the EU to have a favourable position towards the promotional trip. These conditions were : to be informed in advance about the trip dates and venues; to be consulted on the documents which will be used to support the promotion actions; and that these promotional trips should cover in the future other Parties’ jurisdictional areas. These conditions were not respected during the promotional trip in May last.

Underlying the open character of the European market, where no legal barriers exist impeding the access of tuna products coming from the Eastern Pacific and that importers exercise their choice of product, the EC pointed out the conditions that should be respected in relation to possible similar initiatives undertaken by the interested Parties in the future :

- more information and co-ordination on future promotional trips to avoid interference with the EC decisional process regarding the AIDCP Dolphin safe label and EU market perturbations (lack of awareness of the European consumers about the Dolphin safe issue and the tuna fishing activities on dolphins)
- no comparison in the information given during such promotional activities between different fishing practices within the EPO
- similar promotional action should be undertaken also in other AIDCP Parties’ jurisdictional areas;
- participation of the Secretariat, as a technical support, in disseminating information on the results of the AIDCP programme.”

14. Report of the Permanent Working Group on Tuna Tracking

The Chair of this working group presented her report of its 13th meeting (Appendix 5), including recommendations to the Panel. The Panel accepted the report and its recommendations.

15. Recommendations for the Meeting of the Parties

The Panel agreed to make the following recommendations to the Meeting of the Parties:

1. that the Parties approve the revised Dolphin Safe Certificate and instructions, as recommended by the Permanent Working Group on Tuna Tracking;

2. that the Parties consider the appropriate action to take with respect to the two special cases referred to under item 12 of these minutes;
3. that the *Plan of Action for Enhancing the Success of the AIDCP* be approved.

16. Other business

No other business was discussed.

17. Place and date of next meeting

The next meeting of the IRP will be held during the week of October 6 in La Jolla, California.

18. Adjournment

The meeting was adjourned on June 21.

Appendix 1.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACIÓN DE LOS DELFINES**

**INTERNATIONAL REVIEW PANEL
PANEL INTERNACIONAL DE REVISION**

33rd MEETING - 33^a REUNION

**June 18-19, 2003 – 18 al 19 de junio de 2003
Antigua, Guatemala**

ASISTENTES - ATTENDEES

COLOMBIA

JAIME E. RIVAS
Ministerio de Agricultura y Desarrollo Rural
ARMANDO HERNÁNDEZ
Cámara de la Industria Pesquera

DIEGO CANELOS
Atunamar Lrda.
ALVARO NAVARRO
ATUNEC

COSTA RICA

ASDRÚBAL VÁSQUEZ
INCOPECA

ECUADOR

LUIS TORRES NAVARRETE
Ministerio de Comercio Exterior,
Industrialización, Pesca y Competitividad

EL SALVADOR

MARGARITA S. DE JURADO
SONIA SALAVERRIA
Ministerio de Agricultura y Ganadería

EUROPEAN UNION - UNION EUROPEA

JOHN SPENCER
ALAN GRAY
Directorate General of Fisheries

JUAN IGNACIO ARRIBAS
Secretaría General de Pesca Marítima
JAVIER ARÍZ TELLERIA
Instituto Español de Oceanografía

GUATEMALA

PABLO GIRÓN
XIOMARA GOMEZ
RODOLFO FUENTES
FRATERO DIAZ MONGE
SERGIO RUANO
SERGIO GUZMÁN
ALEJANDRO ARRIVILLAGA
JUAN H. SEGURA

RUBEN LOPEZ BRAN
SAMUEL COLOMA
LUIS A. LOPEZ
FAUSTINO AREVALO
ROSALINA VILLEDA
ERICK MORATAYA
VICTOR LOPEZ
Ministerio de Agricultura, Ganadería y Alimentación

MEXICO

RICARDO BELMONTES
MARIO AGUILAR
CONAPESCA
LUIS FLEISCHER
Instituto Nacional de la Pesca

MICHEL DREYFUS
HUMBERTO ROBLES
FIDEMAR
MAXIMO CARVAJAL
LUIS FUEYO
SEMARNAT/PROFEPA

PANAMA

ARNULFO FRANCO
Autoridad Marítima de Panamá

ESTADOS UNIDOS DE AMERICA - UNITED STATES OF AMERICA

DAVID BALTON
DAVID HOGAN
Department of State
PAT DONLEY
BRETT SCHNEIDER
PAUL ORTIZ
STEVE REILLY

MICHELLE ZETWO
National Marine Fisheries Service
PETER FLOURNOY
Western Fishboat Owners Association
U.S. Tuna Foundation

VANUATU

HUGO ALSINA LAGOS
Office of Deputy Commissioner of Maritime Affairs

VENEZUELA

NANCY TABLANTE
Instituto Nacional de la Pesca y Acuicultura
RICARDO MOLINET
AVATUN

ALVIN DELGADO
FUNDATUN

ORGANIZACIONES NO GUBERNAMENTALES--NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG
The Ocean Conservancy

MOISÉS MUG
World Wildlife Fund

TUNA INDUSTRY – INDUSTRIA ATUNERA

ERNESTO ESCOBAR
RAMÓN MONTAÑO
JULIO MORÓN

SECRETARIA - SECRETARIAT

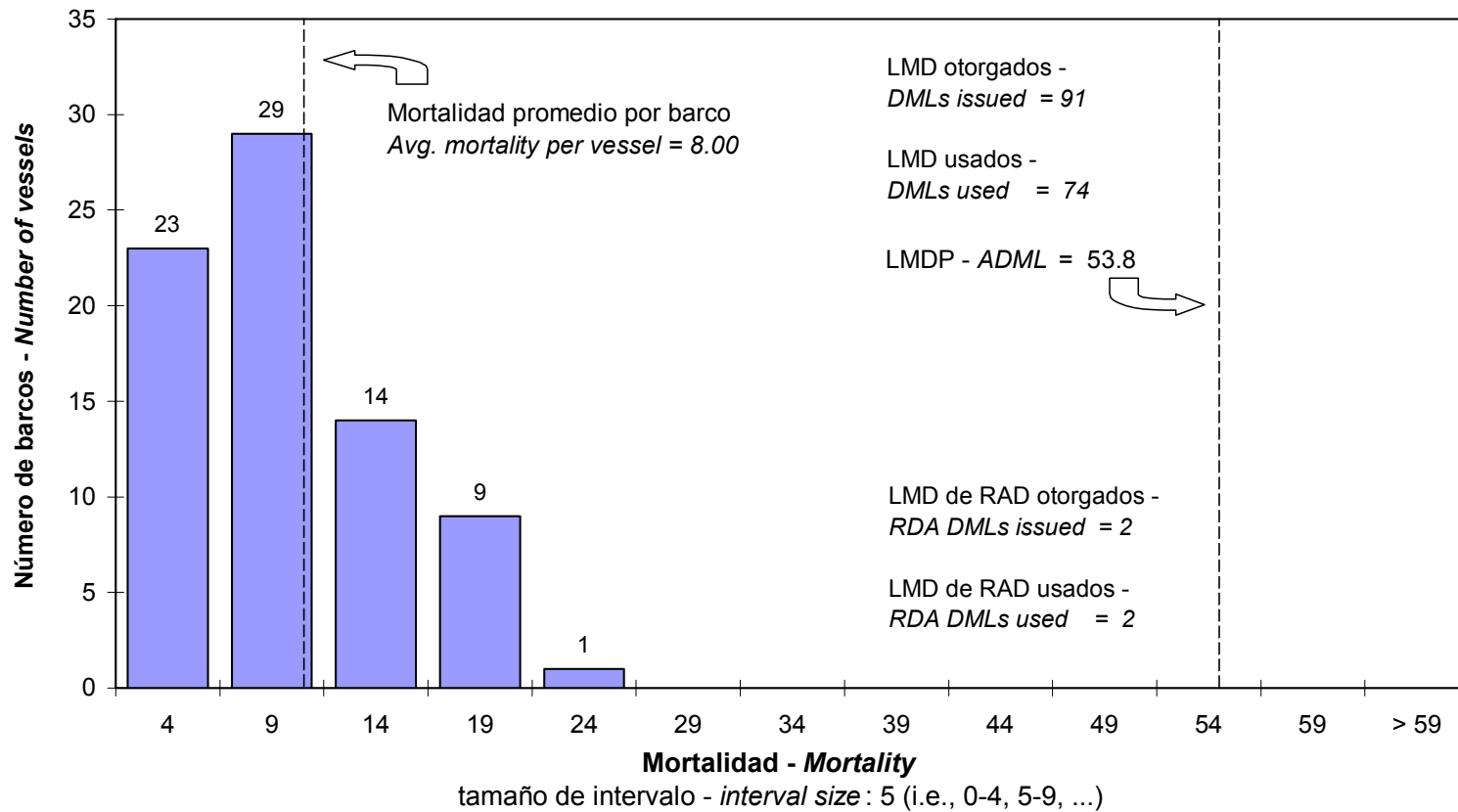
ROBIN ALLEN, Director
ERNESTO ALTAMIRANO
DAVID BRATTEN
ALEJANDRA FERREIRA

BRIAN HALLMAN
BERTA JUÁREZ
NICHOLAS WEBB

Appendix 2.

MORTALIDAD CAUSADA POR BARCOS CON LMD - 2003
MORTALITY CAUSED BY DML VESSELS - 2003

(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)



Datos Preliminares (11 junio, 2003) - *Preliminary Data (June 11, 2003)*

Appendix 3.

PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES -- INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INFRACCIONES – INFRACTIONS¹

JUN 2003

| | Código | MAYORES | MAJOR |
|-----|---------------------|---|--|
| 1. | NOOBS | Pescar sin observador | Fishing without an observer |
| 2. | NODML | Pescar sobre delfines sin LMD | Fishing on dolphins without a DML |
| 3. | BNST | Pescar sobre población de delfines prohibida | Fishing on banned stocks of dolphins |
| 4. | HARM | No evitar dañar o matar delfines capturados en el curso de las operaciones de pesca | Failing to avoid injuring or killing dolphins captured in the course of fishing operations |
| 5. | AFTDML | Pescar sobre delfines después de alcanzar el LMD | Fishing on dolphins after reaching the DML |
| 6. | NODSP | Salir a pescar con LMD sin paño de protección de delfines en la red | Depart to fish with a DML without a dolphin safety panel in the net |
| 7. | UNLIST | Capitán de pesca asignado a un buque con LMD no está en la Lista de Capitanes Calificados del APICD | Fishing captain assigned to a DML vessel not on AIDCP List of Qualified Captains |
| 8. | EXPL | Usar explosivos al pescar sobre delfines | Use of explosives when fishing on dolphins |
| 9. | NOBK | No realizar retroceso tras capturar delfines | Not conducting backdown after dolphins are captured |
| 10. | SKBR | Embolsar o salabardear delfines vivos | Sacking up or brailing live dolphins |
| 11. | OBSINT ² | Acosar al observador o interferir con sus deberes | Harassing an observer, or interfering with his duties |
| | | OTRAS | OTHER |
| 12. | NSETS | Lance nocturno (no terminar el retroceso 30 minutos después de la puesta del sol) | Night set (not completing backdown within 30 minutes after sundown) |
| 13. | NORS | No usar rescatadores durante retroceso | Not deploying rescuers during backdown |
| 14. | NORAF | Falta de balsa para observación y rescate de delfines | No raft for the observation and rescue of dolphins |
| 15. | NOBR | No tener al menos tres lanchas utilizables, con bridas o postes y cabos de remolque utilizables | Not having at least three operable speedboats with operable towing bridles or posts, and tow lines |
| 16. | NOFLOD | No tener un reflector de largo alcance utilizable | Not having an operable long-range floodlight |
| 17. | NOMASK | No tener al menos dos visores de buceo | Not having at least two diving face masks |
| 18. | CONTRS | No continuar esfuerzos de rescate después del retroceso con delfines vivos en el cerco | Not continuing rescue efforts after backdown with live dolphins in the net |
| 19. | BEFDIR | Pescar sobre delfines antes de notificación de LMD al Director | Fishing on dolphins before notification of DML to Director |

¹ Aprobado por la 9ª Reunión de las Partes – Approved by the 9th Meeting of the Parties

² Puede ser mayor, según el caso - Could be major depending on the case

Appendix 4.

Respuestas para seis tipos de posibles infracciones identificadas durante las reuniones 30, 31 y 32 del PIR.. Se redondean los porcentajes, y no suman necesariamente 100.

Responses for six types of possible infractions identified at the 30th, 31st, and 32nd meetings of the IRP. Percentages are rounded and may not sum to 100.

| | No. de casos | Sin respuesta | Respuestas | | | | | | | | | | Total |
|---|--------------|----------------|---------------------|--------------------|-------------------------|---------------------|-----------------------------------|----------|----------|----------|----------------|---------------------------|-------|
| | | | Bajo investigación | No hubo infracción | Infracción: sin sanción | Infracción: aviso | Infracción: sanción ¹ | | | | | | |
| | No. of cases | No response | Responses | | | | | | | | | | Total |
| | | | Under investigation | No infraction | Infraction: no sanction | Infraction: warning | Infraction: sanction ¹ | | | | | | |
| HOSTIGAMIENTO AL OBSERVADOR – OBSERVER HARASSMENT | | | | | | | | | | | | | |
| MEX | 4 | 0 | - | 1 (25%) | 3 (75%) | 0 | - | 0 | - | 0 | - | 4 (100%) | |
| PAN | 1 | 0 | - | 0 | 1 (100%) | 0 | - | 0 | - | 0 | - | 1 (100%) | |
| Total: | 5 | 0 | - | 1 (20%) | 4 (80%) | 0 | - | 0 | - | 0 | - | 5 (100%) | |
| USO DE EXPLOSIVOS – USE OF EXPLOSIVES | | | | | | | | | | | | | |
| ECU | 3 | 0 | - | 3 (100%) | 0 | - | 0 | - | 0 | - | 0 | 3 (100%) | |
| MEX | 1 | 0 | - | 1 (100%) | 0 | - | 0 | - | 0 | - | 0 | 1 (100%) | |
| VEN | 9 | 0 | - | 0 | 0 | - | 0 | - | 0 | - | 9 (100%) | 9 (100%) | |
| Total: | 13 | 0 | - | 4 (31%) | 0 | - | 0 | - | 0 | - | 9 (69%) | 13 (100%) | |
| LANCES NOCTURNOS – NIGHT SETS | | | | | | | | | | | | | |
| MEX | 6 | 0 | - | 6 (100%) | 0 | - | 0 | - | 0 | - | 0 | 6 (100%) | |
| PAN | 1 | 0 | - | 0 | 1 (100%) | 0 | - | 0 | - | 0 | - | 1 (100%) | |
| VEN | 49 | 0 | - | 0 | 0 | - | 0 | - | 0 | - | 49 (100%) | 49 (100%) | |
| Total | 56 | 0 | - | 6 (11%) | 1 (2%) | 0 | - | 0 | - | 0 | - | 49 (88%) 56 (100%) | |
| PESCAR SIN OBSERVADOR – FISHING WITHOUT AN OBSERVER | | | | | | | | | | | | | |
| UNK ² | 1 | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | |
| BOL | 5 | 2 (40%) | 3 (60%) | 0 | - | 0 | - | 0 | - | 0 | - | 3 (60%) | |
| Total³ | 5 | 2 (40%) | 3 (60%) | 0 | - | 0 | - | 0 | - | 0 | - | 3 (60%) | |
| LANCES SOBRE DELFINES DESPUES DE ALCANZAR EL LMD – SETS ON DOLPHINS AFTER REACHING DML | | | | | | | | | | | | | |
| <i>No hubo ningún caso identificado durante el periodo de este informe</i> | | | | | | | | | | | | | |
| <i>There were no identified cases during this report period.</i> | | | | | | | | | | | | | |
| PESCAR SOBRE DELFINES SIN LMD – FISHING ON DOLPHINS WITHOUT A DML | | | | | | | | | | | | | |
| BOL | 5 | 2 (40%) | 3 (60%) | 0 | - | 0 | - | 0 | - | 0 | - | 3 (60%) | |
| COL | 1 | 1 (100%) | 0 | - | 0 | - | 0 | - | 0 | - | 0 | - | |
| PAN | 2 | 0 | 0 | - | 0 | - | 0 | - | 0 | - | 2 (100%) | 2 (100%) | |
| Total | 8 | 3 (38%) | 3 (38%) | 0 | - | 0 | - | 0 | - | 0 | - | 2 (25%) 5 (63%) | |

¹ Una sanción fue o será aplicada – Sanction was or will be applied

² Se notifica a las no partes, pero no se solicita respuesta – Non-Parties are advised, but no response is requested

³ Los totales no incluyen casos de no partes, si procede – Totals do not include cases involving non-Parties, if applicable

Appendix 5.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES

PERMANENT WORKING GROUP ON TUNA TRACKING

13TH MEETING

ANTIGUA (GUATEMALA)

17 JUNE 2003

CHAIR'S REPORT

The meeting was called to order by the Chairperson, Patricia Donley of the United States. The Parties represented were Colombia, Costa Rica, Ecuador, El Salvador European Union, Guatemala, Mexico, Panama, United States, and NGOs Ocean Conservancy and tuna industry.

The following changes and additions were made to the agenda: 1. The report on the Tuna Tracking System of El Salvador was tabled to the next meeting. 2. The question of how to record fish received from unobserved vessels on TTFs would be discussed under *Other Business*.

1. Review of the implementation of the dolphin safe certification system.

Dr. Allen presented Document TT-13-04, *Summary of Dolphin Safe Certification Program*, in which it was recommended that the appropriate national authority should be notified and asked to investigate any time that the weight of tuna recorded on a Dolphin Safe Certificate exceeds the total weight of dolphin safe tuna recorded on the corresponding TTFs by 10% or more. Several delegates expressed concern that this would not provide a useful comparison between the weights of whole tuna on the TTFs and the weight of the processed products on the certificates. The group discussed whether 10% was the most appropriate threshold.

There followed a discussion during which it was suggested that the weights of processed products, *e.g.* in net drained weight of can contents, should be reported on the certificate.

It was also proposed that certificates should only be considered valid if the corresponding original TTFs are on file at the Secretariat. Neither of these suggestions was recommended for adoption at this meeting. In addition, some delegations believed that it is too soon to set a 10% trigger point for investigation, but it was agreed that this level could be used provisionally until more definitive information is available. At the next meeting of the working group in October, the Secretariat will present a more detailed comparison of the weights on certificates and TTFs, broken down by national authority.

2. Technical modifications to the dolphin safe certificate and guidelines.

Dr. Allen presented Document TT-13-05, *Technical Modifications to the AIDCP Dolphin Safe Tuna Certificate*. The members agreed to forward to the IRP the revised Certificate (attached) with an accompanying change in the instructions. The Secretariat was asked to investigate the factors being used by the tuna industries of member nations to convert whole fish weights to tuna product weights and report the results at the next meeting of the Working Group.

3. Review of the implementation of the dolphin safe certification system (continued).

Dr. Allen presented information on the number of original TTFs submitted to the Secretariat by the members in 2002 and 2003. It was noted that while some members have a high level of compliance, many had not improved their 2002 level of compliance in 2003. Dr. Allen noted that the Secretariat had 100% of TTFs, either originals or copies. There was a general discussion of some of the difficulties of submitting the original TTFs in a timely manner. In response to a question, Dr. Allen explained that, in cases when the observer leaves the vessel before the fish is unloaded, the observer takes the original TTFs

to an IATTC field office, which then sends them to the national authority responsible for sending the originals to the Secretariat.

4. Document TT 13 03a Estimated costs of keeping observers aboard vessels until the catch is unloaded

At the 12th meeting of the Working Group, following a discussion of possible reasons why original TTFs were not being submitted to the Secretariat in a timely fashion, the members requested that the Secretariat report on the costs of keeping observers aboard vessels until the catch is unloaded and investigate procedures being followed at IATTC field offices. The Secretariat reported that the procedures were being followed properly by IATTC staff in Ecuador, Panama and Venezuela, and that the additional costs of keeping observers on board the vessels on 70 investigated trips in 2002 would have totaled about \$25,000. After discussion, the members decided not to recommend that observers remain aboard vessels until they reach their final destination due to the cost involved.

5. Document TT 13 03, Review of National Tuna Tracking Plans.

Dr. Allen presented this report, which invited the Working Group to consider whether the plans of Colombia, the European Union, Guatemala, Mexico, and the United States are consistent with the AIDCP Tuna Tracking System. Several members described the modifications made to their plans or additional information submitted to the Secretariat in order to make their plans consistent. A discussion of the level of consistency required for national tuna tracking plans ensued. Dr. Allen reminded the group that no level of compliance or consistency has been formally established. Only Bolivia, Honduras, Nicaragua, and Venezuela have not submitted tuna tracking plans. The members agreed that the plans already found to be consistent with the Tuna Tracking and Verification System, plus those of Colombia, Costa Rica, the European Union, Guatemala, Mexico, and the United States, should be submitted to the IRP.

6. Tuna Tracking Forms, fish received from unobserved vessels, letter from Dr. Allen to Participating Governments.

The Chair introduced this agenda item by explaining her concerns that the action proposed in Dr. Allen's letter established a third category, neither dolphin safe nor non dolphin safe, for tuna transferred at sea from a fishing vessel which does not have an observer aboard to a fishing vessel which does have an observer aboard. Dr. Allen explained the rationale for the Secretariat's instructions to observers. There followed a discussion of how such tuna should be classified. It was agreed that tuna transferred at sea from a fishing vessel which does not have an observer aboard to a fishing vessel which does have an observer aboard should be certified as non dolphin safe. The members agreed to forward this decision to the IRP, and to ask the Secretariat to report at the next meeting regarding whether this would require an amendment of the Tuna Tracking and Verification System and/or the procedures for the certification of dolphin safe tuna, and also any legal and procedural implications of this change.

7. Recommendations for the IRP

1. The Tuna Tracking Plans already found to be consistent with the Tuna Tracking and Verification System, plus those of of Colombia, Costa Rica, the European Union, Guatemala, Mexico, and the United States, should be submitted to the IRP as consistent with the Tuna Tracking and Verification System.
2. Request that the IRP review and recommend that the Meeting of the Parties approve the use of the revised Dolphin Safe Certificate and instructions, as presented in Document TT-13-05, minus the second sentence of the instructions for Section B.
3. That tuna transferred at sea from a fishing vessel which does not have an observer aboard to a fishing vessel which does have an observer aboard should be certified as non dolphin safe.

The next meeting of the Working Group would be held immediately preceding the next meeting of the IRP.

The meeting was adjourned.