

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

40TH MEETING

LA JOLLA, CALIFORNIA (USA)
19 OCTOBER 2005

DOCUMENT IRP-40-11a

AMENDMENT TO ANNEX IV OF THE AIDCP: RDA AND SECOND
SEMESTER DMLS

During the 39th meeting of the IRP, in the discussion on 2005 DMLs, the question of whether a vessel may receive both a DML from the Reserve DML Allocation (RDA) and a second-semester DML during the same year was discussed. The meeting decided that a vessel assigned a DML from the RDA should not be eligible for a second-semester DML during the same year for which it obtained a DML from the RDA. It was agreed that the Secretariat should prepare a draft modification of Annex IV. I. 7. of the AIDCP to reflect this decision, to be reviewed at the next meeting of the Panel.

The Secretariat proposes adding a new final sentence to Annex IV.I.7, as follows:

“7. The remaining two percent, or such other portion as the Parties might determine, of the overall DML for the fishery shall be maintained as a separate Reserve DML Allocation (RDA¹), to be managed at the discretion of the Director. Any Party may request that the Director assign DMLs from such RDA to vessels fishing under its jurisdiction which do not normally fish for tuna in the Agreement Area but which may, from time to time, desire to participate in the fishery in the Agreement Area on a limited basis, provided that such vessels and their captains and crews meet the operational and training requirements set forth in Annex VIII of this Agreement and that the requirements set forth in paragraphs 3 and 4, of this Section are met. Any accidental mortalities caused by vessels operating in the Agreement Area under the jurisdiction of any of the Parties that have not requested DMLs for their fleet shall also be deducted from this RDA. **No vessel which has been assigned a DML for any given year from the RDA may also receive a full-year or second-semester DML for that same year, and no vessel which has received a full-year or second-semester DML for any given year may also receive a DML from the RDA for that same year.**

Another issue which arises in the consideration of this matter is the definition and utilization of the RDA itself. The purpose of the RDA, as elaborated in the Agreement, is for vessels “which do not normally fish for tuna in the Agreement Area but which may, from time to time, desire to participate in the fishery in the Agreement Area on a limited basis”

In practice, the RDA has never been actually used for the purpose spelled out in the Agreement, but rather for assigning DMLs to vessels that legitimately enter the fishery during the course of the year, but too late to be assigned a DML in accordance with the usual procedures. This has occurred on several occasions since the inception of the Agreement, to the benefit of vessels of several different Parties. These assignments have been made in a very transparent manner and there have there been no objections to them. It would thus appear that there is another purpose of the RDA which reflects the current needs of the fishery.

If so desired by the Parties, a draft amendment of the Agreement to reflect an additional purpose for the RDA could be prepared for the next meeting of the IRP.

¹ In the current Spanish text of the AIDCP, this abbreviation is rendered incorrectly as “RAD” instead of “RAL”; it is proposed that the opportunity be taken to correct this error, in this paragraph and in paragraph 1 of section II of this same Annex.