

SECRETARY OF ENVIRONMENT  
AND NATURAL RESOURCES/SEMARNAT

PROFEPA  
Federal Attorney for Protection of the  
Environment  
1992-2002

México, D.F., April 9, 2002

Ref: DGVP.142.20

ROBIN L. ALLEN  
Director  
Inter-American Tropical Tuna Commission  
Scripps Institution of Oceanography  
8604 La Jolla Shores Drive  
La Jolla CA 92037 – 1508, U.S.A.

I refer to the 28<sup>th</sup> meeting of the International Review Panel (IRP) celebrated in Cartagena, Colombia on the 25 - 26 October 2001, at which the delegation of Mexico presented a proposal I reference to “Legal procedures for observers”.

In that respect, to fulfill the commitment made, I append the forms to be incorporated to the Observer’s report, which can be discussed and reviewed during the next meeting of the International Review Panel (IRP).

Yours, etc.  
(signed)  
Luis Fueyo Mac Donald

General Director of Inspection and Vigilance  
Fishing and Marine Resources.

FORM  
FOR THE DESIGNATION OF THE OBSERVER

C. \_\_\_\_\_ OBSERVER  
OF THE DOLPHIN PROTECTION PROGRAM., (PNAAPD). (CIAT).

México, March 1, 2002

PRESENT.

Ref. No. \_\_\_\_\_

This is to inform you that, in accordance with articles 14, 16 and 133 of the Political Constitution of the United States of Mexico; 1, 2, 3, 35, 38 of the Federal Law of Administrative Procedures; 1, 2, 4 of the Law for the Celebration of Treaties; 1, 3 fraction V of the Law of Fishing; 131, 160, 162, 189 of the General Law of Equilibrium and the Protection of the Environment; 71 of the Interior Regulations of the Secretary of Environment and Natural Resources publicized in the Official Diary of the Federation on June 4<sup>th</sup> of 2001; 4 of the Federal Law of the Sea; articles II, XIII, XVI, (Observers Program), 1, 2, 3, 4 and 5 Annex II of the Agreement on the International Dolphin Conservation Program, adopted in the city of Washington, D.C., United States of America, on the twenty first of may of the year nineteen ninety eight, which was published in the Official Diary of the Federation on May 17, 1999; article 26 of the Vienna Convention on Treaties between the States and International Organizations adopted in the city of Vienna on may twenty one nineteen ninety six; you are hereby notified for all legal purposes that you have been commissioned, for cruise number \_\_\_\_\_, of the vessel \_\_\_\_\_, to fulfill acts of observation on board, so you can fulfill the functions in accordance with the duties imposed by points 1, 2, 3, 4, 5 of Annex II of the International Dolphin Conservation Program.

Yours etc.

SINCERELY

THE FEDERAL DELEGATE OF PROFEPA  
IN THE STATE OF SINALOA

\_\_\_\_\_  
OBSERVER FOR THE DOLPHIN CONSERVATION PROGRAM

Note: This document will be prepared by the local office of PROFEPA

FORM  
LETTER OF NOTIFICATION TO THE VESSEL REGARDING THE DESIGNATION OF  
OBSERVERS FOR DOLPHIN CONSERVATION.

FISHING CAPTAIN OF THE VESSEL  
NAME OF THE CAPTAIN \_\_\_\_\_

México, March 1, 2002

PRESENT.

Ref. No. \_\_\_\_\_

On the basis of articles 14, 16 and 133 of the Political Constitution of the United States of Mexico; 1, 2, 3, 35, 38 of the Federal Law of Administrative Procedures; 1, 2, 4 of the Law for the Celebration of Treaties; 1, 3 fraction V of the Law of Fishing; 131, 160, 162, 189 of the General Law of Equilibrium and the Protection of the Environment; 71 of the Interior Regulations of the Secretary of Environment and Natural Resources publicized in the Official Diary of the Federation on June 4<sup>th</sup> of 2001; 4 of the Federal Law of the Sea; articles II, XIII, XVI, (Observers Program), 1, 2, 3, 4 and 5 Annex II of the Agreement on the International Dolphin Conservation Program, adopted in the city of Washington, D.C., United States of America, on the twenty first of may of the year nineteen ninety eight, which was publicized in the Official Diary of the Federation on May 17 of 1999; article 26 of the Vienna Convention on Treaties between the States and International Organizations adopted in the city of Vienna on may twenty one nineteen ninety six; you are hereby notified for all legal purposes that C. \_\_\_\_\_ as observer on board in accordance with official letter of commission No. \_\_\_\_\_ has been commissioned during the cruise of the vessel \_\_\_\_\_ to fulfill acts of observation about fishing operations that may be carried out.

In light of the above, I ask of you and of the crew of the above-mentioned vessel, for any collaboration and assistance as may be requested by the observer, for the fulfillment of his functions.

Yours, etc.

SINCERELY

THE FEDERAL DELEGATE OF PROFEPA  
IN THE STATE OF SINALOA

\_\_\_\_\_  
OBSERVER FOR THE DOLPHIN CONSERVATION PROGRAM

SIGNATURE OF RECEIPT BY THE INTERESTED PARTY \_\_\_\_\_

Note: This document will be prepared by the local office of PROFEPA

REPORT OF THE ON-BOARD OBSERVER

FEDERAL ATTORNEY GENERAL'S OFFICE FOR THE PROTECTION OF THE ENVIRONMENT  
FEDERAL DELEGATION IN THE STATE OF \_\_\_\_\_

Page No. \_\_\_\_\_ Of \_\_\_\_\_  
Record of Observation No. \_\_\_\_\_  
Letter of Commission No. \_\_\_\_\_

DATA OF THE VESSEL

In \_\_\_\_\_ at \_\_\_\_\_ hours of the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year \_\_\_\_\_, the undersigned observer commissioned by \_\_\_\_\_, in support with articles II, XIII, XVI, Annex II (Observers Program), 1, 2, 3, 4 and 5 subsection b of the Agreement on the International Dolphin Conservation Program, adopted in the city of Washington, D.C., United States of America, on the twenty first of may of the year nineteen ninety eight, which was publicized in the Official Diary of the Federation on May 17 of 1999, constituted on the vessel \_\_\_\_\_.

In accordance with articles 14 second paragraph, 16 first paragraph and 133 of the Political Constitution of the United States of Mexico; 1, 2, 3, 35, 38 of the Federal Law of Administrative Procedures; 1, 2, 4 of the Law for the Celebration of Treaties; 1, 3 fraction V of the Law of Fishing; 131, 160, 162, 189 of the General Law of Equilibrium and the Protection of the Environment; 71 of the Interior Regulations of the Secretary of Environment and Natural Resources publicized in the Official Diary of the Federation on June 4<sup>th</sup> of 2001; 4 of the Federal Law of the Sea; articles II, XIII, XVI, Annex II(Observers Program), 1, 2, 3, 4 and 5 subsection b of the Agreement on the International Dolphin Conservation Program, adopted in the city of Washington, D.C., United States of America, on the twenty-first of May of the year nineteen ninety eight, which was published in the Official Diary of the Federation on May 17 of 1999; article 26 of the Vienna Convention on Treaties between the States and International Organizations adopted in the city of Vienna on may twenty one nineteen ninety six. Constituted as observer on the tuna vessel named \_\_\_\_\_, during cruise \_\_\_\_\_, number \_\_\_\_\_, from \_\_\_\_\_ to \_\_\_\_\_.

I proceed to initiate the functions of the observer on the tuna vessel named \_\_\_\_\_, following which I request the presence of the authority of said vessel, having the proceedings with the C. \_\_\_\_\_ in his character of \_\_\_\_\_, and he identifies himself with \_\_\_\_\_, who at this moment acknowledges the official letter of commission number \_\_\_\_\_ on the date of \_\_\_\_\_ signed by C. \_\_\_\_\_ and now delivered, and this observer identifies himself by \_\_\_\_\_ which is current at this time.

This person is asked to designate two witnesses who shall be present during the proceedings, and otherwise shall be designated by the observer, in hereby designates \_\_\_\_\_ and \_\_\_\_\_ respectively who at this moment are informed of the reason for their presence.

NOTE: if no witnesses can be designated, this shall be recorded.

This document will be prepared by PROFEPA and completed by the observer

BEGINNING

OBSERVER'S RIGHT TO A HEARING

In relation with the development of the observation, Captain \_\_\_\_\_ declares:

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For which he considers pertinent the following evidence:

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CLOSING. In witness of the above and being \_\_\_\_\_ hours of the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year \_\_\_\_\_, this is declared closed, and is signed by those involved.

SIGNATURES OF THOSE INVOLVED IN THE OBSERVATION:

NAME AND SIGNATURE OF THE  
OBSERVER \_\_\_\_\_

\_\_\_\_\_

NAME AND SIGNATURE OF THE VESSEL  
CAPTAIN \_\_\_\_\_

\_\_\_\_\_

NAME AND SIGNATURES OF THE  
WITNESSES \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Note: The failure of the captain and witnesses to sign this certificate does not invalidate it.