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Commission des Thons de l'Océan Indien

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OBSERVER PROGRAM DEVELOPMENT and OBSERVER LOGISTICAL COORDINATION WORKSHOP



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Processes of initiating a deployment onto a selected vessel and for the sharing of observers

IOTC ROS OLC TR5.01 and TR5.02

Category: Sensitizing and planning
deployments with the fishing industry

[IOTC ROS OLC TR5]



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Circular to all Vessels

Generic official communique compiled and sent to all the fishing companies (may also be published in an official publication).

- Advises fishing industry well in advance of CPC:
 - intention to deploy observers
 - legislation concerning the deployment of observers (*fisheries Acts, Regulations, fishing vessel licences and permit conditions*)
- Advantages of the process
 - all companies receive the same notice at the same time
 - provides preliminary outline of the programs objectives
 - provides the industry with sufficient time to prepare for the observer
 - reduces the chances of a company or vessel refusing an observer (*limited capacity, insufficient notice, unfair treatment, ignorance, etc.*)



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Memorandum of Understanding (MoU)

- Negotiated with vessel operator prior to the deployment of the observer
- Addresses health and safety aspects for the observer on-board the vessel
- Clearly references and outlines elements of CPC Emergency Action Plan
- Divided into several sections, each drawn up to suit the specific conditions surrounding the observer program and the relevant vessel, or vessels involved.

Direct agreement established between the Observer Provider and the vessel that includes all the terms and conditions for the observer's deployment, work protocols, prescribed work schedules and the responsibilities of the vessel in providing support for the observer.



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Memorandum of Understanding (MoU)

- Section 1 General Terms & Conditions
 - ✓ Introduces the observer program and the mandate for the observer deployment.
 - ✓ Requests advance copies of the vessel safety certificates and insurance document
 - ✓ Outlines the requirement for the observer's insurance and pre-sea safety inspection.
 - ✓ Makes provision for both parties to resolve any disagreements by mutual consent.



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Memorandum of Understanding (MoU)

- Section 2 Conditions for Observer Deployment
 - ✓ Covers the overall conditions for observer deployments.
 - ✓ Expected duration of the trip;
 - ✓ Conditions for embarkation and disembarkation in port or via a transfer vessel;
 - ✓ Procedure to be followed in the event of the observer becoming ill or injured; and
 - ✓ Provides for a “Pre-sea” inspection and “Familiarisation tour” to be undertaken by the observer and/or OLC. The minimum safety requirements are specified, which must be met before the observer will be permitted to embark.



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Memorandum of Understanding (MoU)

- Section 3 Vessel Operator's Responsibilities for Observer Deployment
 - ✓ Requests details of the vessel
 - ✓ Requests logistical information (port of departure and return for the pending trip)
 - ✓ Provides the conditions for contracting and arranging the observer's travel arrangements
 - ✓ Provides the procedure for signing the observer onto the vessels articles
 - ✓ Defines working conditions, accommodation, and facilities available to the observer
- Section 4 Observer's Responsibilities on-board Vessels
 - ✓ Defines observer's responsibilities and protocol in terms of the observer program.



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Memorandum of Understanding (MoU)

- Section 5 Entry into Effect, Duration and Termination
 - ✓ Covers the formalities for both parties to sign the MoU
 - ✓ Defines the tenure of the agreement
- Appendices
 - ✓ Detailed description of Observer role and protocols
 - ✓ Detailed description of vessels responsibilities towards the observer
 - ✓ Provides minimum safety requirements and pre-sea inspection forms to provide the vessel an advanced preview of these requirements
 - ✓ Etc.



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Notification of deployment

First step in the deployment process. The deployment notification takes the form of a notice that is sent to the vessel operator either by email or fax, requesting them to accommodate an observer on their next trip. The signed return of this notice provides the OLC with the confirmation that the operator has acknowledged their requirement to accommodate an observer for their next trip.

1. Prepare notification of deployment (*ensure wording refers to the mandate or program requiring the observer coverage*)
2. Send notification of deployment to vessel operator
3. Await for signed return
4. Deploy observer
5. If vessel sails without the observer or without contacting the OLC, report it to the relevant authorities.



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Sharing of observers

Different mechanisms can be used for the sharing and the coordination of observers among Observer Programmes for multiple CPCs. These can take the form of formal or informal meetings or be developed into a Memorandum of Understanding between CPCs' observer programmes.

MoUs for the sharing of Observers, should state at least:

1. Parties taking part in the MoU
2. MoU objective(s)
3. Definition and conditions of the cooperative observation (observer sharing)
4. Data sharing and confidentiality
5. The zone(s) of cooperation
6. Settling of disputes



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THANK YOU FOR YOUR PARTICIPATION



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