

IOTC REGIONAL OBSERVER SCHEME EMERGENCY ACTION PLAN (EAP)

CPC EAPs must include, as a minimum, the IOTC-ROS safety-at-sea standard procedures detailed below.

1) Communications protocol and appropriate contact information

The observer programme must establish a communications protocol and have a “Designated Officer/s” responsible for maintaining a device capable of receiving a signal from an independent two-way satellite communication device¹.

Communications protocol must include:

a) Routine reports

- i) Deployment reports submitted within 24-hours after sailing confirms a line of communication between the observer and the Observer Provider;
- ii) Weekly status reports allow for regular communications to be maintained and for the observer to communicate any safety problem (any instance of interference, harassment, intimidation, or assault)².

b) Emergency communication procedures:

The observer programme must have an established procedure to initiate contact with the observer, the vessel, the vessel owner / operator and, if necessary, the appropriate enforcement authority of Flag CPC and relevant Coastal CPC.

c) 24 hr emergency contact

A 24 hr emergency service will need to be established. This service need not be in the “Fisheries Departments” and other services like police, patrol boat bases may be utilised. The observer programme nominate “Designated Officer/s” responsible for maintaining a device capable of receiving a signal from the approved independent two-way satellite communication device).

2) Follow up responses

The observer programme must establish a procedure to initiate contact with the observer, the vessel, and, if necessary, the appropriate enforcement authority of Flag CCMs and relevant Coastal CCMs.

3) Remedial action

CPCs must establish appropriated procedures for addressing issues related to the safety of observers including violations against observers. These measures must include clear actions that must be taken in the event of various emergencies including: observer illness, injury and death, observer missing at-sea or presumed fallen overboard; assault, intimidation, threatening and/or harassing of an observer.

Procedures must include at the very least the following actions:

- a) *In the event that an observer dies, is missing or presumed fallen overboard, the CPC to which the fishing vessel is flagged shall ensure that:*

¹ Two way texting satellite device or a satellite phone independent of the vessel communications systems.

² Communication codes describing problems to be agreed between observers and their coordinators.



- i) the fishing vessel immediately ceases all fishing operations;
 - ii) the fishing vessel immediately commences search and rescue if the observer is missing or presumed fallen overboard, and searches for at least 72 hours, unless the observer is found sooner, or unless instructed by the flag CPC to continue searching;
 - iii) the fishing vessel immediately notifies the flag CPC and the observer provider;
 - iv) the fishing vessel immediately alerts other vessels in the vicinity by using all available means of communication;
 - v) the appropriate Maritime Rescue Coordination Centre is immediately notified and provided with a report on actions undertaken;
 - vi) the fishing vessel cooperates fully in any search and rescue operation whether or not the search is successful and after such search and rescue operation has been terminated, orders the vessel to the nearest port for further investigation, as agreed by the flag CPC and the observer provider;
 - vii) the fishing vessel provides the report to the observer provider and appropriate authorities on the incident; and
 - viii) the fishing vessel cooperates fully in any and all official investigations, and preserves any potential evidence and the personal effects and quarters of the deceased or missing observer;
 - ix) the fishing vessel ensures that, to the extent practicable, the body is well-preserved for the purposes of an autopsy and investigation.
- b) *In the event that an observer suffers from a serious illness or injury that threatens his or her life and/or long-term health or safety, the CPC to which the fishing vessel is flagged shall ensure that:*
- i) the fishing vessel immediately ceases fishing operations;
 - ii) the fishing vessel immediately notifies the flag CPC and the Observer Provider;
 - iii) the appropriate Maritime Rescue Coordination Centre is immediately notified and provided with a report on actions undertaken;
 - iv) the fishing vessel takes all reasonable actions to care for the observer and provides any medical treatment available and possible on board the vessel, and where appropriate seeks external medical advice;
 - v) the fishing vessel, where directed by the Observer Provider, if not already directed by the flag CPC, facilitates the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and
 - vi) the fishing vessel cooperates fully in any and all official investigations into the cause of the illness or injury.
- c) *In the event that there are reasonable grounds to believe an observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered and the observer or the observer provider indicates to the CPC to which the fishing vessel is flagged that they wish for the observer to be removed from the fishing vessel, the CPC to which the fishing vessel is flagged shall ensure that the fishing vessel:*



- i) immediately takes action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - ii) notifies the flag CPC and the Observer Provider of the situation, including the status and location of the observer, as soon as possible;
 - iii) facilitates the safe disembarkation of the observer in a manner and place, as agreed by the flag CPC and the Observer Provider, that facilitates access to any needed medical treatment; and
 - iv) cooperates fully in any and all official investigations into the incident.
- d) *In the event that there are reasonable grounds to believe that an observer has been assaulted, intimidated, threatened, or harassed but neither the observer nor the observer provider requests that the observer be removed from the fishing vessel, the CPC to which the fishing vessel is flagged shall ensure that the fishing vessel:*
- i) takes action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
 - ii) notifies the flag CPC and the Observer Provider of the situation as soon as possible; and
 - iii) cooperates fully in all official investigations into the incident.
- e) *After an observer has disembarked from a fishing vessel, the Observer Provider identifies—such as during the course of debriefing—a possible violation involving assault or harassment of the observer while on board the fishing vessel. The Observer Provider shall notify, in writing, the flag CPC, and the flag CPC shall:*
- i) investigate the event based on the information provided by the Observer Provider and take any appropriate action in response to the results of the investigation;
 - ii) cooperate fully in any investigation conducted by the Observer Provider, including providing the report to the Observer Provider and appropriate authorities of the incident; and
 - iii) notify the Observer Provider and the Director of the results of its investigation and any actions taken.
- f) *CPCs shall ensure that their Observer Providers:*
- i) immediately notify the flag CPC in the event that an observer dies, is missing or presumed fallen overboard in the course of observer duties;
 - ii) cooperate fully in any search and rescue operation;
 - iii) cooperate fully in any and all official investigations into any incident involving an observer;
 - iv) facilitate the disembarkation and replacement of an observer in a situation involving the serious illness or injury of that observer as soon as possible;
 - v) facilitate the disembarkation of an observer in any situation involving the assault, intimidation, threats to, or harassment of that observer to such an extent that the observer wishes to be removed from the vessel, as soon as possible; and
 - vi) provide the flag CPC with a copy of the observer report on alleged violations involving that Provider's observer upon request.

The Observer Provider must establish appropriate measures for addressing issues related to the safety of observers including violations against observers. These measures should cover:

g) Pre-boarding

- i) Only observers trained to an international standard (STCW or equivalent) on Safety at Sea by a certified person, school, college or maritime authority, are permitted to carry out duties on board a vessel at sea.
- ii) Only observers holding a valid Basic Safety Training Certificate (STCW or equivalent) are permitted to carry out duties on board a vessel at sea under the IOTC ROS
- iii) Only observers holding a valid Certificate of Medical Fitness (STCW or equivalent) issued by an authorised medical practitioner are permitted to carry out duties on board a vessel at sea under the IOTC ROS.
- iv) Observers shall not board vessels until they have been fully equipped with at least the health and safety equipment detailed under the Guidelines for IOTC ROS. Safety equipment must be in a good working order and should be checked regularly.
- v) Vessel safety conditions will be surveyed against minimum safety requirements. A Vessel Safety Check will be done before each boarding of an observer on a vessel and a vessel pre-sea safety checklist or form will be filled out by the provider/observer to ensure that vessel safety conditions meet minimum safety requirements and that there is adequate safety equipment to cater for the extra observer on board. The Commission has a guideline format and national formats should be similar or the same (see Guidelines for the IOTC ROS).
- vi) Observers have the right to refuse the boarding if the Vessel Safety Check highlights that the vessel does not comply with expected standards or if they consider a particular vessel to be unsafe.

4) Completing the EAP protocols

CPCs must establish appropriate measures for addressing violations made against observers. Incidents involving observer reporting of interference, harassment or intimidation must be resolved through a legal or nationally recognized procedure.

5) Reporting to the IOTC

CPCs must have an established procedure to report incidents involving observers to the Secretariat.