

CPC: ALBANIA

EMERGENCY ACTION PLAN (EAP) ON PROTECTING THE HEALTH AND SAFETY OF OBSERVERS IN ICCAT'S REGIONAL OBSERVER PROGRAM (para 8, ICCAT Rec. 19-10)

Scope of the Plan

This Emergency Action Plan (EAP) intends to provide a list of immediate actions and measures to be taken and procedures to be followed by the Fishing Vessel Owners/Operators carrying ICCAT Regional Observers in the event an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health, safety, or welfare, or has been assaulted, intimidated, threatened or harassed.

Implementing Procedures

The following procedures shall be followed by Owners/Operators of the Fishing Vessel carrying ICCAT Regional Observers in the context of the EAP as from January 1, 2021.

1. In the event that an OBSERVER dies, is missing or presumed fallen overboard, the master of the fishing vessel shall:
 - a) immediately cease all fishing operations;
 - b) immediately notify the appropriate Inter-institutional Maritime Operational Centre (IMOC), the Ministry of Agriculture and Rural Development (MARD) and the observer provider;
 - c) immediately commence 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 MARD to continue searching. In the event of force majeure, the MARD may allow their vessels to cease search and rescue operations before 72 hours have elapsed;
 - d) immediately alert other vessels in the vicinity by using all available means of communication;
 - e) cooperate fully in any search and rescue operation;
 - f) whether or not the search is successful, promptly return to the nearest port for further investigation, as agreed by the MARD and the observer provider;
 - g) promptly provide a report on the incident to the observer provider and appropriate flag State authorities; and
 - h) cooperate fully in all official investigations, and preserve any potential evidence and the personal effects and quarters of the deceased or missing observer.
2. In addition, in the event that an OBSERVER dies while deployed, the master of the fishing vessel shall ensure that the body is well-preserved for the purposes of an autopsy and investigation.
3. In the event that an OBSERVER suffers from a serious illness or injury that threatens his or her health or safety, the master of the fishing vessel shall;
 - a) immediately cease fishing operations;
 - b) immediately notify the Ministry, observer provider, and relevant MRCC to advise if a medical evacuation is warranted;
 - c) take all reasonable actions to care for the observer and provide any medical treatment available and possible on board the vessel;
 - d) where necessary and appropriate, including as directed by the observer provider, if not already directed by the Ministry, facilitate the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and
 - e) cooperate fully in any and all official investigations into the cause of the illness or injury.
4. For the purposes of paragraphs 1 through 3, the master of the fishing vessel/owner/operator shall ensure that the appropriate MRCC, observer provider, and the Secretariat are immediately notified of the incident, actions taken or underway to address the situation, and any assistance that may be required.

5. 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 MARD to which the fishing vessel is flagged that they wish for the observer to be removed from the fishing vessel, the master of the fishing vessel shall:
 - a) immediately take action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - b) notify the Ministry and the observer provider of the situation, including the status and location of the observer, as soon as possible;
 - c) facilitate the safe disembarkation of the observer in a manner and place, as agreed by the Ministry and the observer provider, that facilitates access to any needed medical treatment; and
 - d) cooperate fully in any and all official investigations into the incident.
6. 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 wishes that the observer be removed from the fishing vessel, the master of the fishing vessel is shall:
 - a) take action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
 - b) notify the flag state authority and the observer provider of the situation as soon as possible; and
 - c) cooperate fully in all official investigations into the incident.
7. If any of the events in paragraphs 1 through 5 occur, the MARD shall, without prejudice to provisions of any relevant domestic rules and regulations in place with respect to entry into ports of other flag fishing vessels, facilitate entry of the fishing vessels to its ports to allow disembarkation of the OBSERVER and, to the extent possible, assist in any investigations if so requested by the flag CPCs.
8. In the event that, after disembarkation from a fishing vessel of an OBSERVER , an observer provider identifies, such as during the course of debriefing the observer, a possible situation involving assault or harassment of the observer while on board the fishing vessel, the observer provider shall notify, in writing, the MARD and the Secretariat.
9. If notified, under paragraph 5b, 6b, or 8, that an observer has been assaulted or harassed, the MARD shall:
 - a) 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;
 - b) 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
 - c) promptly notify the observer provider and the Secretariat of the results of its investigation and any actions taken.
10. The MARD may call vessels flying their flag to participate, to the greatest extent possible, in any search and rescue operations involving an ROP observer.
11. Where requested, relevant observer providers and the MARD shall cooperate in each other's investigations, including providing their incident reports for any incidents indicated in paragraphs 1 through 6 to facilitate any investigations as appropriate.