

THE COMMONWEALTH OF THE BAHAMAS
ICCAT REGIONAL OBSERVER PROGRAM EMERGENCY ACTION PLAN (EAP)

The following provisions shall apply to ensure the health, safety, and welfare of observers deployed pursuant to ICCAT ROP established in the Recommendation 2019-10 addressing the Program for Transhipments Recommendation 2016-15 and the Recommendation by ICCAT amending the Recommendation 18-02 establishing a multi-annual management plan for bluefin tuna in the eastern Atlantic and the Mediterranean, Recommendation 19-04.

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 Bahamas flagged reefer ships carrying ICCAT Regional Observers (ROP) and/or National (CPC) 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 during his/her stay on board.

Company responsibility

The Company (insert name of the company here) confirms that every vessel under this Company management and scheduled for transhipment operations is in every way seaworthy and outfitted with appropriate safety equipment for entirety of each voyage, including following:

- Life rafts of sufficient capacity for all persons on board with certificates of inspections that are valid throughout the observer deployment;
- Life jackets and survival suits of sufficient number for all persons on board, and compliant with relevant international standards; and
- A properly registered Emergency Position Indicating Radio Beacon (EPIRB) and a Search and Rescue Transponders (SART) that will not expire until the observer deployment ends.

The Company (insert name of the company here) would allow the Observer to inspect all vessel safety equipment and documents and to report its status to the observer provider, in case such inspection is not allowed or in case of any outstanding safety discrepancies, in particular if the vessel does not meet the requirements of this paragraph - observers shall not be deployed. If, during deployment, the observer provider or flag CPC or non-CPC determines that a serious risk to the health, safety, or welfare of the observer exists, the observer shall be removed from the vessel unless and until the risk is addressed.

Observer Provider responsibility

1. The observer provider shall provide or ensure observers have received safety training before they are deployed on a vessel for the first time and at appropriate intervals thereafter. Such training program must, at a minimum, meet the national maritime legislation of the observer domicile safety training standards. The observer must present certificates of above qualifications to the Master on his/her arrival board.
2. Before deploying an observer on a vessel for a trip, the observer provider shall ensure the observer is issued the following safety equipment:
 - a) an independent two-way satellite communication device suitable for use at sea and a waterproof personal life-saving beacon, which may consist of a single device such as a Satellite Emergency Notification Device, or a combination of an independent two-way satellite-based device, (e.g. an inReach messaging device) and a personal locator beacon (e.g. a ResQ Link device); and
 - b) other safety equipment, such as personal flotation device (PFDs), lifejacket or an immersion suits, appropriate to the specific fishing operations and activities, including ocean area and distance from shore.
3. The observer provider shall have a designated contact point for deployed observers to use in cases of emergency. Details of such contact points must be advised to the Master at the moment of appointing an observer.

4. The observer provider must have an established procedure for contacting and being contacted by the observer and the vessel, and, if necessary, for contacting the competent authority of the flag CPC or non- CPC. Details of such procedure should be provided to the Master at the moment of appointing an observer.

Action in case ROP observer dies, is missing or presumed fallen overboard

1. At the moment of receiving information about such accident – the Master shall:
 - a) immediately cease all transhipment operations;
 - b) immediately notify the appropriate Maritime Rescue Coordination Centre (MRCC), the Bahamas Maritime Authority and the observer provider emergency contact point;
 - c) immediately commence search and rescue if the observer is missing or presumed fallen overboard, and the search must continue for at least 72 hours, unless the observer is found sooner, or unless instructed by the Bahamas Maritime Authority to continue searching. In the event of force majeure, the Bahamas Maritime Authority 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 Bahamas Maritime Authority and the observer provider;
 - g) promptly provide a report on the incident to the Bahamas Maritime Authority , observer provider and if requested to appropriate CPC/non-CPC and coastal state authorities; and
 - h) cooperate fully in all official investigations, and preserves 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 carrier vessel shall ensure that the body is well-preserved for the purposes of an autopsy and investigation.

Action in case that ROP observer suffers from a serious illness or injury

1. In the event that an OBSERVER suffers from a serious illness or injury that threatens his/her health or safety, the master of the carrier vessel shall:
 - a) immediately cease all transhipment operations;
 - b) immediately notify the Bahamas Maritime Authority and the CPC/non-CPC authorities involved in transhipment operations and the 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 Bahamas Maritime Authority, 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.
2. For the purposes of above paragraphs, the Master of the carrier vessel/owner/operator shall ensure that the appropriate MRCC, observer provider, coastal state authorities and the Bahamas Maritime Authority are immediately notified of the incident, actions taken or underway to address the situation, and any assistance that may be required is provided.

Action in case of a ROP observer has been assaulted, intimidated, threatened, or harassed

1. In the event that there are reasonable grounds to believe that 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 Bahamas Maritime Authority that they wish for the observer to be removed from the vessel, the Master of the carrier vessel shall:
 - a. immediately take action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - b. notify the Bahamas Maritime Authority 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 Bahamas Maritime Authority 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.
2. 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/carrier vessel shall:
 - a. take action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
 - b. notifies the Bahamas Maritime Authority and the observer provider of the situation as soon as possible; and
 - c. cooperate fully in all official investigations into the incident.
3. If any of the events in above paragraphs occur, the Bahamas Maritime Authority should, without prejudice to provisions of any relevant rules and regulations in place with respect to entry into ports, facilitate entry of the vessel to the nearest port to allow disembarkation of the OBSERVER and, to the extent possible, assist in any investigations if so requested by the flag CPC/non-CPC.
4. In the event that, after disembarkation from a 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 vessel, the observer provider shall notify, in writing, the Bahamas Maritime Authority and the Secretariat.
5. If notified, that an observer has been assaulted or harassed, the Bahamas Maritime Authority 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.

Additional provisions:

1. The Bahamas Maritime Authority may call vessels flying their flag to participate, to the greatest extent possible, in any search and rescue operations involving a ROP/National observer.
2. Where requested, relevant observer providers and the Bahamas Maritime Authority shall cooperate in each other's investigations, including providing their incident reports for any incidents indicated in above paragraphs to facilitate any investigations as appropriate.
3. Nothing in this plan prejudices the rights and discretion of the Master of the Bahamas vessel, which are exercised in accordance with both International and the Bahamian domestic law.