

ROP EMERGENCY ACTION PLAN (EAP)

(Submitted by the European Union)

The following ROP Emergency Action Plan (EAP) shall apply to ensure the health, safety, and welfare of observers deployed in the EU pursuant to ICCAT ROPs established in the Recommendation by ICCAT on a Program for Transshipment (Rec. 16-15) 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 (Rec. 19-04).

The designated services responsible for applying the following ROP Emergency Action Plan (EAP) are detailed in the Annex.

The following emergency reporting and evacuation procedures shall be followed by the EU operators and authorities where appropriate 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:

1. In the event that an ROP observer dies, is missing or presumed fallen overboard, the CPC or non-CPC to which the fishing vessel is flagged shall take necessary measures to require that the fishing vessel:
 - a) immediately ceases all fishing operations;
 - b) immediately notifies the appropriate Maritime Rescue Coordination Center (MRCC), flag CPC or non-CPC, and the observer provider;
 - c) 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 or non-CPC to continue searching¹;
 - d) immediately alerts other vessels in the vicinity by using all available means of communication;
 - e) cooperates fully in any search and rescue operation;
 - f) whether or not the search is successful, promptly returns to the nearest port for further investigation, as agreed by the flag CPC or non-CPC and the observer provider;
 - g) promptly provides a report on the incident to the observer provider and appropriate flag State authorities; and
 - h) cooperates 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 ROP observer dies while deployed, the flag CPC or non-CPC shall require that the fishing vessel ensure that the body is well-preserved for the purposes of an autopsy and investigation.
3. In the event that an ROP observer suffers from a serious illness or injury that threatens his or her health or safety, the CPC or non-CPC to which the fishing vessel is flagged shall take necessary measures to require that the fishing vessel:
 - a) immediately ceases fishing operations;
 - b) immediately notifies the flag CPC or non-CPC, observer provider, and relevant MRCC to advise if a medical evacuation is warranted;
 - c) takes 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 flag CPC or non-CPC, facilitates the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and
 - e) cooperates fully in any and all official investigations into the cause of the illness or injury.

¹ In the event of force majeure, CPCs and non-CPCs may allow their vessels to cease search and rescue operations before 72 hours have elapsed.

4. For the purposes of paragraphs 1 through 3, the flag CPC or non-CPC 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 ROP 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 or non-CPC to which the fishing vessel is flagged that they wish for the observer to be removed from the fishing vessel, the CPC or non-CPC to which the fishing vessel is flagged shall take necessary measures to require that the fishing vessel:
 - a) immediately takes action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - b) notifies the flag CPC or non-CPC and the observer provider of the situation, including the status and location of the observer, as soon as possible;
 - c) facilitates the safe disembarkation of the observer in a manner and place, as agreed by the flag CPC or non-CPC and the observer provider, that facilitates access to any needed medical treatment; and
 - d) cooperates fully in any and all official investigations into the incident.
6. In the event that there are reasonable grounds to believe that an ROP 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 CPC or non-CPC to which the fishing vessel is flagged shall take necessary measures to require that the fishing vessel:
 - a) takes action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;
 - b) notifies the flag CPC or non-CPC and the observer provider of the situation as soon as possible; and
 - c) cooperates fully in all official investigations into the incident.
7. If any of the events in paragraphs 1 through 5 occur, port CPCs or non-CPCs shall facilitate entry of the fishing vessel to allow disembarkation of the ROP observer and, to the extent possible, assist in any investigations if so requested by the flag CPC or non-CPC.
8. In the event that, after disembarkation from a fishing vessel of an ROP 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 flag CPC or non-CPC and the Secretariat.
9. If notified, under paragraph 5b, 6b, or 8, that an observer has been assaulted or harassed, the flag CPC or non-CPC 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. CPCs shall also encourage 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 CPCs or non-CPCs 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.