

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

**36<sup>TH</sup> MEETING OF THE PARTIES**

La Jolla, California (USA)

24 October 2017

**PROPOSAL MOP-36 A-1**

**SUBMITTED BY THE UNITED STATES**

**RESOLUTION ON IMPROVING OBSERVER SAFETY AT  
SEA**

*The Parties to the Agreement on the International Dolphin Conservation Program (AIDCP):*

*Taking into account* that observers collect data that is essential to the functions of the AIDCP and the Inter-American Tropical Tuna Commission and that the safety of observers is critical to their ability to perform their duties;

*Recognizing* that purse seine vessels are required to carry observers under requirements of the AIDCP;

*Concerned* that there are no established observer safety equipment requirements for the AIDCP On-Board Observer Program and that these requirements may vary among the Parties' respective national observer programs; and

*Considering* that consistent safety requirements should apply to all observers operating within the legal and institutional framework of the AIDCP;

*Resolve as follows:*

In accordance with paragraph 3 of Article XXX of the Agreement, Annex II of the Agreement is amended by adding new paragraph 7 to read as follows, renumbering current paragraphs 7 through 13 accordingly:

7. Observer Safety

- a. The AIDCP On-Board Observer Program and the Parties' respective national observer programs shall ensure that, when observers embark on a vessel for a trip, they are provided with (1) an independent two-way satellite communication device (such as an inReach device), and (2) a waterproof personal life-saving beacon (such as a ResQ Link device). ~~This may consist of a single device, such as a "Satellite Emergency Notification Device," or a combination of an independent two-way satellite-based device, such as a satellite telephone, and a portable lifesaving beacon (e.g., Personal Locator Beacon or Emergency Position Indicating Radio Beacon (EPIRB)).~~ The devices must be included on a list of approved devices maintained by the AIDCP observer program, to ensure the reliability of the devices. Parties with national observer programs that would like the AIDCP to cover the cost of equipment and the associated operating cost under this paragraph shall submit to the Secretariat, by 1 June 2018, an estimate of the number of devices required for their observers.
- b. The AIDCP On-Board Observer Program and the Parties' respective national observer programs must have a designated person or persons ~~responsible for monitoring the signal from the observers' satellite communication devices at all times~~ that observers can contact in cases of an emergency.
- c. The AIDCP On-Board Observer Program and the Parties' respective national observer programs must have an established procedure for communications and actions for a designated person or persons to contact the observer, the vessel, and, if necessary, the competent authority of the Party with jurisdiction over the vessel. This procedure must provide for regular contact with observers to confirm their health and safety status and clearly describe the steps that must be taken in the event of various emergencies, including situations where an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health or safety, or has been assaulted, intimidated, threatened or harassed while on board a vessel, and/or if the observer requests to be removed from the vessel prior to the

conclusion of the fishing trip.

- d. The Parties shall ensure that 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 or safety, or has been assaulted, intimidated, threatened or harassed, a detailed action plan is in place that includes at a minimum the following:
  - i. The responsibilities of the fishing vessel regarding ceasing fishing, search and rescue operations, notifications, cooperation in any investigations, necessary medical care, facilitation of any necessary disembarkation, and reporting requirements;
  - ii. The responsibilities of the observer programs regarding any investigations, search and rescue operations, notifications, reporting requirements, and cooperation in any necessary procedures to facilitate the disembarkation of any observer;
  - iii. The responsibilities if they are involved as a port Party; and
  - iv. The responsibilities if they are involved as a flag Party.

Parties shall submit their action plans to the Secretariat by June 1, 2018 for review and discussion at the 37th Meeting of the Parties.

- e. The AIDCP On-Board Observer Program and the Parties' respective national observer programs must provide safety training for observers, which at a minimum meet the International Maritime Organization (IMO) safety training standards.