

## EMERGENCY ACTION PLAN (EAP) OF JAPAN

Japan hereby establishes Emergency Action Plan for Japanese vessels carrying observers deployed under an ICCAT ROP ("Japanese vessels" hereinafter) to be followed by Japanese vessels and relevant authorities, as follows:

1. In the event that an ROP observer dies, is missing or presumed fallen overboard, Japanese vessels:
  - a) Immediately cease all fishing operations;
  - b) Immediately notify the appropriate Maritime Rescue Coordination Center (MRCC), the Japanese authorities, and the observer provider;
  - c) Immediately commence search and rescue if the observer is missing or presumed fallen overboard, and search for at least 72 hours, unless the observer is found sooner, or unless instructed by the Japanese authorities to continue searching<sup>1</sup>;
  - 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 Japanese authorities and the observer provider;
  - g) Promptly provide a report on the incident to the observer provider and appropriate Japanese 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 ROP observer dies while deployed, Japanese vessels ensure that the body is well-preserved for the purposes of an autopsy and investigation, except for the limited cases for which Japanese relevant law allows burial at sea (e.g. in the case of infectious disease)
3. In the event that an ROP observer suffers from a serious illness or injury that threatens his or her health or safety, Japanese vessels:
  - a) immediately cease fishing operations;
  - b) immediately notify the Japanese authorities, 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 Japanese authorities, facilitate the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and 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 Japanese authorities will 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 for the Japanese authorities 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 Japanese authorities that they wish for the observer to be removed from the fishing vessel, Japanese vessels:
  - a) immediately take action to preserve the safety of the observer and mitigate and resolve the situation on board;

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<sup>1</sup> In the event of force majeure, the Japanese authorities may allow Japanese vessels to cease search and rescue operations before 72 hours have elapsed.

- b) notify the Japanese authorities 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 Japanese authorities and the observer provider, that facilitate 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 for the Japanese authorities 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, Japanese vessels.
- 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 Japanese authorities 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, Japan, as a port state, facilitates 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. If notified that an observer has been assaulted or harassed, the Japanese authorities will;
- 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.
9. Any other vessels flying the Japanese flag are encouraged to participate, to the greatest extent possible, in any search and rescue operations involving an ROP observer, in accordance with relevant Japanese law.
10. Where requested, the Japanese authorities will cooperate with relevant observer providers 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.
11. Nothing in this plan prejudices the rights and discretion of master of the Japanese vessel, which are exercised in accordance with Japanese domestic law.