

Republic of Panama
Aquatic Resources Authority of Panama

Panama Emergency Action Plan to protect the health and safety of observers within the framework of the National Observer Program or the ICCAT Regional Observer Program

The Republic of Panama hereby establishes an Emergency Action Plan to protect the health and safety of observers on board under the national observer program or the ICCAT regional observer program, covered by ICCAT Recommendation 19-10, which should be implemented by Panamanian vessels and the competent authorities:

1. In the event that an observer from the observer program passes away, disappears or allegedly falls overboard, the Panama fishing vessel shall carry out the following:
 - a. Immediately cease all fishing operations;
 - b. Immediately notify the relevant Maritime Rescue Coordination Center (MRCC), the Panamanian authorities and 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 Panama authorities to continue searching¹;
 - 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 or not, promptly return to the nearest port for further investigation, as agreed by the Panama authorities and the observer provider;
 - g. Promptly provide a report on the incident to the observer provider and appropriate Panama 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 from the national or regional program dies while deployed, Panama vessels shall ensure that the body is well-preserved for the purposes of an autopsy and investigation, except for limited cases for which applicable Panama relevant law allows burial at sea (e.g. in the case of infectious disease).
3. In the event that a ROP observer suffers a serious illness or injury that threatens his or her health or safety, Panama vessels shall:
 - a. Immediately cease all fishing operations;
 - b. Immediately notify the Panama 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 Panama 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 Panama authorities will ensure that the appropriate MRCC, observer provider and the Secretariat of the Commission are immediately notified of the incident, actions taken or underway to address the situation, and any assistance that may be required.

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

5. In the event that there are reasonable grounds for Panama authorities to believe that an observer of the regional or national program has been assaulted, intimidated, threatened or harassed such that their health or safety is endangered and the observer or observer provider indicates to the Panama authorities that it is necessary to remove the observer, Panama vessels shall:
 - a. take immediate action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - b. notify the Panama 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 Panama authorities and the observer provider, that facilitate access to any needed medical treatment; and
 - d. cooperate fully in each and every official investigations into the incident.
6. In the event that there are reasonable grounds for Panama authorities to believe that an observer of the national or regional program 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, Panamanian vessels shall:
 - a. take immediate action to preserve the safety of the observer and mitigate and resolve the situation on board;
 - b. notify the Panama authorities and the observer provider of the situation as soon as possible; and
 - c. cooperate fully in all the official investigations regarding the incident.
7. If any of the events in paragraphs 1 through 5 occur, Panama, as a port state, shall facilitate entry of the vessel to allow disembarkation of the ROP observer and, to the extent possible, assist in any investigation if so requested by the flag CPC or non-CPC.
8. If an observer is reported to have been assaulted or harassed, the Panama 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 the investigation and any actions taken.
9. Any other vessels flying a Panama flag are encouraged to participate, to the extent possible, in any search and rescue operations involving an observer of the national or regional program, in accordance with the relevant Panama law.
10. Where requested, the Panama authorities will cooperate with relevant observer providers in investigations, including providing their incident reports for any incidents indicated in paragraphs 1 to 6 to facilitate any investigations as appropriate.
11. No measure established in this plan shall prejudice the rights and discretion of the master of the vessel, which are exercised in accordance with Panama domestic law.

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