

DRAFT

REGIONAL MOU AMONG NATIONAL SEARCH AND RESCUE AUTHORITIES OF THE ROPME MEMBER STATES

This MOU is made on the day of 2007 corresponds to1428H.

BETWEEN

THE ROPME MEMBER STATES

1. Kingdom of Bahrain
2. Islamic Republic of Iran
3. Republic of Iraq
4. State of Kuwait
5. Sultanate of Oman
6. State of Qatar
7. Kingdom of Saudi Arabia
8. United Arab Emirates

(‘The Parties’)

NOTING the great importance of rendering assistance to people in distress at sea, and the necessity of establishment by every coastal State of adequate and effective arrangements to provide maritime search and rescue services in compliance with the International Convention on Maritime Search and Rescue (SAR 1979),

RECOGNIZING the desirability of coordinating activities regarding safety on and over the sea among coastal States,

WILLING to promote cooperation plans that meet the requirements of providing adequate maritime search and rescue services,

REALIZING the importance of cooperation between the authorities responsible for maritime search and rescue in ROPME Member States,

CONSIDERING the enormous number of the ships operating in the ROPME Sea Area and the likelihood of the occurrence of mass incidents endangering the lives of the people in the region,

TAKING THE ACCOUNT OF the fact that there are considerable resources on maritime search and rescue in the Member States of ROPME and the, essentiality to organize these resources in a recognized framework,

KNOWING the importance of cooperation in Maritime Search and Rescue and of the provision of expeditious and effective SAR services,

DESIRING to support the provisions of the International Convention on Maritime Search and Rescue of International Maritime Organization (IMO).

1) **SCOPE**

- i. This MOU is intended to provide procedures to all signatory ROPME Member States, State and Territory SAR Authorities nominated by each party to this MOU.
- ii. The geographical area of concern for this specific regional MOU would be ROPME Sea Area.

- iii. Matters of this MOU do not cover the issues of the legal status of Marine boundary between any of the Member States.
- iv. This MOU does not restrict or negate any other existing Conventions, Agreements, MOU's that are already in place.

2) PURPOSE

This MOU provides the legal framework for Management of Coordination/Cooperation and communication facilities of search operations and actions on rescue of people in distress situations in the sea, use of available resources, mutual assistance and efforts to improve SAR services as well as to enhance safety of life at sea.

3) NATIONAL SEARCH AND RESCUE ARRANGEMENTS

- I. The Parties agreed that there should be a record of the National Search and Rescue Response Arrangements for coordination of resources to be used in search and rescue operations and to promote continued operation in the provision of search and rescue services between the Regional SAR Secretariat and the State/s and Territory authorities with responsibilities of search and rescue.
- II. The Parties agreed that this MOU should formally recognize the administrative and funding arrangements underpinning the operation of the National Search and Rescue Response Arrangements to ensure that:

- Regional obligations under international conventions relating to search and rescue are fulfilled.
- The national approach to search and rescue coordination under the National Search and Rescue Response Arrangements is continued and strengthened;
- The National Search and Rescue Plan is formally recognized as the standard of reference for use by the Regional SAR Secretariat and the State and Territory Search and Rescue Authorities.
- The division of responsibilities between the Parties is clear in responding to particular types of search and rescue incidents involving persons, vessels and aircraft at sea, in accordance with the National Search and Rescue Plan; and
- Mechanisms are in place to ensure that decision making under the National Search and Rescue Response Arrangements is cooperative and that the Parties obligations under the arrangement are met.

III. legislative responsibility for the provision of a national search and rescue service in a manner consistent with Regional obligations under the, but not limited to, the following:

- Kuwait Regional Convention for cooperation on the protection of the Marine Environment from pollution of 1978
- Protocol Concerning Regional Cooperation in Combating Pollution by Oil and Other Harmful Substances in Case of Emergency, of 1978
- International Convention for the safety of Life at Sea (SOLAS,1974 as amended)
- International Convention on Maritime Search and Rescue, 1979 (SAR Convention)

- United Nations Convention on the Law of the Sea of 1982 (UNCLOS 111)
- Convention on International Civil Aviation 1944 (Chicago Convention)

IV. the Parties agreed that the essential elements of the arrangements for coordination of resources for search and rescue operations are:

- continuation of the National Search and Rescue(SAR) Committee or designated authorities as the main coordinating body for National Search and Rescue Operations.
- Continuation of the National SAR Committee sponsorship and cooperative arrangement of the National Search and Rescue Plan
- Continuation of the existing division of responsibility between the Regional SAR Secretariat and the States and Territories for Search and Rescue in relation to persons, vessels and aircraft at sea.

4. OPERATION AND FUNCTION OF THE NATIONAL AND REGIONAL SAR COMMITTEES

4.1. National Search and Rescue Committee

The Parties agree that the National SAR Committee will continue to be the national coordinating body for Search and Rescue Operations. The functions of the National SAR Committee are to:

- I. oversee search and rescue arrangements with ROPME Region's Search and Rescue consistent with the National Search and Rescue Response Arrangements.
- II. Sponsor the National SAR Plan detailing agreed search and rescue response and coordinating arrangements in the ROPME region.

- III. Oversee the ongoing effectiveness of the cooperative arrangements between the search and rescue authorities.

4.2. REGIONAL SEARCH AND RESCUE COMMITTEE

- I. Membership of the Regional SAR Committee comprises representatives of the ROPME Region Search and Rescue Authorities.
- II. The Regional SAR Committee is chaired by each Contracting State in turn in the alphabetical order of the names of the Member States in English Language.
- III. Each member bears its own cost and expenses incurred in the course of the Committee business.
- IV. The committee meets at least once a year and may conduct its business out of session, providing a record as agreed between members affirming the decisions made out of session. Notice of meetings and agendas will be given at least one week in advance, unless otherwise agreed by the members.
Meetings will not be held unless a majority of members are able to attend.
- V. The parties will encourage the representatives from their respective search and rescue authorities to provide a detailed overview of government perspective and not just the views of their respective agencies.

5. PROMULGATION OF SEARCH AND RESUCE

The parties have agreed:-

- I. To support each other by pooling appropriate SAR facilities for Search and Rescue operations in accordance with the regional SAR plan;
- II. Make and respond to requests for operational assistance between the designated Rescue Coordination Centers (RCCs) or Rescue Sub centers (RSCs) of the parties as capabilities allow.
- III. Develop procedures and communications appropriate for coordination among facilities of all parties responding to the same distress incident and for coordination between the RCCs and RSCs of the parties.
- IV. Work to establish agreed joint actions which balance concerns for sovereignty and for saving lives regarding entry of various SAR facilities into the territory of the other party solely for search and rescue operations and
- V. Enter into other collaborative SAR efforts which may include:
 - Mutual visits by SAR personnel of the Parties.
 - Joint Trainings or exercises.
 - Cooperation in improving SAR procedures and use of techniques equipments and other facilities.
 - Exchange of pertinent SAR information.
 - Establishment of one or more SAR committees to provide the means for cooperation in improving SAR effectiveness.
 - Technical assistance in delivery of victims and towage of floating vessels into the territory of the parties.

Each Party Will:

- i. Keep the information on availability of any SAR facilities or other resources which maybe needed for implementing this MOU readily available.
- ii. Keep the other party fully and promptly informed of all SAR operations of mutual interest or which may involve use of facilities of the other party
- iii. Authorize its RCCs to request assistance via RCCs of the other party and to provide all pertinent information on the distress situation and the scope of assistance needed.
- iv. Authorize its RCCs to promptly respond to a request for assistance from an RCC of the other party.
- v. Authorize its RCCs to promptly arrange or arrange in advance with other national authorities for territorial entry of SAR facilities of the other party(including over flight or landing of SAR aircraft helicopter, accommodation of surface land or water SAR units)
- vi. Authorize RCCs in cases when circumstances dictate for fuelling, medical or other appropriate available support or in response to a request to the RCC of the other party for assistance of those facilities which would involve entry into the territory of the other party.

6. TRAINING AND EXERCISES

- 1) Parties agreed to deliver annual workshops on the maritime Search and rescue to keep updated on the latest development on the SAR.
- 2) Parties agreed to perform the joint maritime Search and Rescue exercises based on pre-determined scenarios with the aim of preparedness to conduct the SAR operation when necessary. The time and the manner of SAR exercise shall be determined by the Regional SAR authority.

7. RESOURCES AND FUNDING

- I. The respective Parties will be responsible for expenses incurred by their own units deployed during a SAR operation.

- II. The search and rescue authority that hires privately owned facilities for a search and rescue operation shall, unless otherwise agreed between the authorities, bear the costs of hiring or payment of compensation for such requisitioning. Nevertheless, and in any event it is not allowed the matter of reimbursement of cost to delay to response to render assistance to a person/s in distress.

8. THE REGIONAL SEARCH AND RESCUE SECRETARIAT

Having recognized the experience that Marine Emergency Mutual Aid Center (MEMAC) has gained in implementing and co coordinating Marine Emergency activities within the region and consider its existing facilities it is hereby agreed that:

- To assign to MEMAC the duty of the Regional SAR Secretariat
- The Regional SAR Secretariat shall be responsible for the following:
 1. to receive and disseminate information with regard to SAR procedures
 2. to circulate and update Member States with regard law, regulations and information
 3. establish a database on SAR operational and administrative arrangement

4. to transmit the report concerning SAR
5. to promote and develop training programme
6. to establish liaison with national, regional and international organization and institutions

9. **GENERAL PROVISIONS**

Entry into force, Amendments and termination

- I. This MOU is concluded for the period of three years and shall enter into force from the date of its signing. It shall be automatically extended each time for one year period.
- II. This MOU will commence on the date it is signed by the parties representing the ROPME Member States, the States and the Territories.
- III. The parties will take such action as it is provided for by this MOU and as otherwise required to achieve the objectives of the National SAR Response Arrangements in accordance with the roles and responsibilities set out below.
- IV. The Parties to this MOU may at any time decide unanimously to modify this MOU and will take all practical steps to give effect to their decision by executing a replacement MOU.
- V. The Parties to this MOU may at any time review this MOU.
- VI. The parties may if they unanimously decide to terminate this MOU, they shall do it in a practical manner.

10. **SETTLEMENT OF DISPUTES**

Any disputes between the parties arising out of the interpretation and or implementation of this MOU will be settled amicably by consultation between parties.

11. LEGAL ISSUES

The provisions of this Memorandum do not cover, relate to or have any impact on the issues of legal status of maritime boundary between the Parties (States).

In witness whereof the under-signed being duly authorized by their respective status, conclude this MOU.