

No. 23489

MULTILATERAL

**International Convention on maritime search and rescue,
1979 (with annex). Concluded at Hamburg on 27 April
1979**

Authentic texts: Chinese, English, French, Russian and Spanish.

Registered by the International Maritime Organization on 27 August 1985.

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**Convention internationale de 1979 sur la recherche et
le sauvetage maritimes (avec annexe). Conclue à
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Textes authentiques : chinois, anglais, français, russe et espagnol.

Enregistrée par l'Organisation maritime internationale le 27 août 1985.

INTERNATIONAL CONVENTION¹ ON MARITIME SEARCH AND RESCUE, 1979

The Parties to the Convention,

Noting the great importance attached in several conventions to the rendering of assistance to persons in distress at sea and to the establishment by every coastal State of adequate and effective arrangements for coast watching and for search and rescue services,

Having considered Recommendation 40 adopted by the International Conference on Safety of Life at Sea, 1960,² which recognizes the desirability of co-ordinating activities regarding safety on and over the sea among a number of inter-governmental organizations,

Desiring to develop and promote these activities by establishing an international maritime search and rescue plan responsible to the needs of maritime traffic for the rescue of persons in distress at sea,

Wishing to promote co-operation among search and rescue organizations around the world and among those participating in search and rescue operations at sea,

¹ Came into force on 22 June 1985, i.e., 12 months after the date on which 15 States had signed it definitively or deposited an instrument of ratification, acceptance, approval or accession with the Secretary-General of the International Maritime Organization, in accordance with article V (1):

<i>State</i>	<i>Date of definitive signature (s) or of deposit of the instrument of ratification, acceptance (A), or accession (a)</i>	<i>State</i>	<i>Date of definitive signature (s) or of deposit of the instrument of ratification, acceptance (A), or accession (a)</i>
Algeria	5 January 1983 <i>a</i>	United States of America	12 August 1980
Argentina	18 May 1981 <i>a</i>	United Kingdom of Great Britain and Northern Ireland	22 May 1980 <i>s</i>
Australia	7 November 1983 <i>a</i>	(With a declaration*** concerning Gibraltar and a declaration of application to the Bailiwick of Guernsey, the Isle of Man, St. Christopher-Nevis-Anguilla, Belize, Bermuda, the British Virgin Islands and Hong Kong.)	
(With a declaration.)*			
Barbados	25 July 1983 <i>a</i>		
Belgium	28 February 1985 <i>a</i>		
Brazil	22 September 1982 <i>a</i>		
Canada	18 June 1982 <i>a</i>		
Chile	7 October 1981		
Denmark	21 June 1984		
France	9 April 1980 <i>s</i>		
German Democratic Republic ..	22 April 1985 <i>a</i>		
Germany, Federal Republic of	21 January 1982		
(With a declaration of application to Berlin (West).)**			
Japan	10 June 1985 <i>a</i>		
Netherlands	8 July 1982 <i>A</i>		
New Zealand	26 April 1985 <i>a</i>		
(With a declaration of applica-			

* See p. 186 of this volume for the text of the declaration made upon accession.

** See p. 186 of this volume for the text of the declaration made upon ratification.

*** See p. 187 of this volume for the text of the declaration made upon definitive signature.

In addition, the Secretary-General of the International Maritime Organization received notifications of declarations made by the Governments of Belize, Chile, the Federal Republic of Germany, Saint Christopher and Nevis, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics. For the text of the declarations see p. 250 of this volume.

² United Nations, *Treaty Series*, vol. 536, p. 456.

Have agreed as follows:

Article I. GENERAL OBLIGATIONS UNDER THE CONVENTION

The Parties undertake to adopt all legislative or other appropriate measures necessary to give full effect to the Convention and its Annex, which is an integral part of the Convention. Unless expressly provided otherwise, a reference to the Convention constitutes at the same time a reference to its Annex.

Article II. OTHER TREATIES AND INTERPRETATION

(1) Nothing in the Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 (XXV) of the General Assembly of the United Nations¹ nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

(2) No provision of the Convention shall be construed as prejudicing obligations or rights of vessels provided for in other international instruments.

Article III. AMENDMENTS

(1) The Convention may be amended by either of the procedures specified in paragraphs (2) and (3) hereinafter.

(2) Amendment after consideration within the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as the Organization):

(a) Any amendment proposed by a Party and transmitted to the Secretary-General of the Organization (hereinafter referred to as the Secretary-General), or any amendment deemed necessary by the Secretary-General as a result of an amendment to a corresponding provision of Annex 12 to the Convention on International Civil Aviation,² shall be circulated to all Members of the Organization and all Parties at least six months prior to its consideration by the Maritime Safety Committee of the Organization.

(b) Parties, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.

(c) Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee on condition that at least one third of the Parties shall be present at the time of adoption of the amendment.

(d) Amendments adopted in accordance with sub-paragraph (c) shall be communicated by the Secretary-General to all Parties for acceptance.

(e) An amendment to an Article or to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 of the Annex shall be deemed to have been accepted on the date on which the Secretary-General has received an instrument of acceptance from two thirds of the Parties.

¹ United Nations, *Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 28 (A/8028)*, p. 25.

² United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

(f) An amendment to the Annex other than to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 shall be deemed to have been accepted at the end of one year from the date on which it is communicated to the Parties for acceptance. However, if within such period of one year more than one third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.

(g) An amendment to an Article or to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 of the Annex shall enter into force:

- (i) With respect to those Parties which have accepted it, six months after the date on which it is deemed to have been accepted;
- (ii) With respect to those Parties which accept it after the condition mentioned in sub-paragraph (e) has been met and before the amendment enters into force, on the date of entry into force of the amendment;
- (iii) With respect to those Parties which accept it after the date on which the amendment enters into force, 30 days after the deposit of an instrument of acceptance.

(h) An amendment to the Annex other than to paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 shall enter into force with respect to all Parties, except those which have objected to the amendment under sub-paragraph (f) and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Party may give notice to the Secretary-General that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee at the time of the adoption of the amendment.

(3) Amendment by a conference:

(a) Upon the request of a Party concurred in by at least one third of the Parties, the Organization shall convene a conference of Parties to consider amendments to the Convention. Proposed amendments shall be circulated by the Secretary-General to all Parties at least six months prior to their consideration by the conference.

(b) Amendments shall be adopted by such a conference by a two-thirds majority of the Parties present and voting, on condition that at least one third of the Parties shall be present at the time of adoption of the amendment. Amendments so adopted shall be communicated by the Secretary-General to all Parties for acceptance.

(c) Unless the conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in sub-paragraphs (2)(e), (2)(f), (2)(g) and (2)(h) respectively, provided that reference in sub-paragraph (2)(h) to the Maritime Safety Committee expanded in accordance with sub-paragraph (2)(b) shall be taken to mean reference to the conference.

(4) Any declaration of acceptance of, or objection to, an amendment or any notice given under sub-paragraph (2)(h) shall be submitted in writing to the Secretary-General who shall inform all Parties of any such submission and the date of its receipt.

(5) The Secretary-General shall inform States of any amendments which enter into force, together with the date on which each such amendment enters into force.

Article IV. SIGNATURE, RATIFICATION, ACCEPTANCE,
APPROVAL AND ACCESSION

(1) The Convention shall remain open for signature at the Headquarters of the Organization from 1 November 1979 until 31 October 1980 and shall thereafter remain open for accession. States may become Parties to the Convention by:

- (a) Signature without reservation as to ratification, acceptance or approval; or
- (b) Signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- (c) Accession.

(2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

(3) The Secretary-General shall inform States of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit.

Article V. ENTRY INTO FORCE

(1) The Convention shall enter into force 12 months after the date on which 15 States have become Parties to it in accordance with Article IV.

(2) Entry into force for States which ratify, accept, approve or accede to the Convention in accordance with Article IV after the condition prescribed in paragraph (1) has been met and before the Convention enters into force, shall be on the date of entry into force of the Convention.

(3) Entry into force for States which ratify, accept, approve or accede to the Convention after the date on which the Convention enters into force shall be 30 days after the date of deposit of an instrument in accordance with Article IV.

(4) Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to the Convention in accordance with Article III shall apply to the Convention, as amended, and the Convention, as amended, shall enter into force for a State depositing such an instrument 30 days after the date of its deposit.

(5) The Secretary-General shall inform States of the date of entry into force of the Convention.

Article VI. DENUNCIATION

(1) The Convention may be denounced by any Party at any time after the expiry of five years from the date on which the Convention enters into force for that Party.

(2) Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General who shall notify States of any instrument of denunciation received and of the date of its receipt as well as the date on which such denunciation takes effect.

(3) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General.

Article VII. DEPOSIT AND REGISTRATION

(1) The Convention shall be deposited with the Secretary-General who shall transmit certified true copies thereof to States.

(2) As soon as the Convention enters into force, the Secretary-General shall transmit the text thereof to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

Article VIII. LANGUAGES

The Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German and Italian languages shall be prepared and deposited with the signed original.

DONE at Hamburg this twenty-seventh day of April one thousand nine hundred and seventy-nine.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the Convention.

ANNEX

Chapter 1. TERMS AND DEFINITIONS

1.1 "Shall" is used in the Annex to indicate a provision, the uniform application of which by all Parties is required in the interest of safety of life at sea.

1.2 "Should" is used in the Annex to indicate a provision, the uniform application of which by all Parties is recommended in the interest of safety of life at sea.

1.3 The terms listed below are used in the Annex with the following meanings:

.1 "Search and rescue region". An area of defined dimensions within which search and rescue services are provided.

.2 "Rescue co-ordination centre". A unit responsible for promoting efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region.

.3 "Rescue sub-centre". A unit subordinate to a rescue co-ordination centre established to complement the latter within a specified area within a search and rescue region.

.4 "Coast watching unit". A land unit, stationary or mobile, designated to maintain a watch on the safety of vessels in coastal areas.

.5 "Rescue unit". A unit composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations.

.6 "On-scene commander". The commander of a rescue unit designated to co-ordinate search and rescue operations within a specified search area.

.7 "Co-ordinator surface search". A vessel, other than a rescue unit, designated to co-ordinate surface search and rescue operations within a specified search area.

.8 "Emergency phase". A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase.

.9 "Uncertainty phase". A situation wherein uncertainty exists as to the safety of a vessel and the persons on board.

.10 "Alert phase". A situation wherein apprehension exists as to the safety of a vessel and of the persons on board.

.11 "Distress phase". A situation wherein there is a reasonable certainty that a vessel or a person is threatened by grave and imminent danger and requires immediate assistance.

.12 "To ditch". In the case of an aircraft, to make a forced landing on water.

*Chapter 2. ORGANIZATION**2.1 Arrangements for provision and co-ordination of search and rescue services*

2.1.1 Parties shall ensure that necessary arrangements are made for the provision of adequate search and rescue services for persons in distress at sea round their coasts.

2.1.2 Parties shall forward to the Secretary-General information on their search and rescue organization and later alterations of importance, including:

.1 National maritime search and rescue services;

.2 Location of established rescue co-ordination centres, their telephone and telex numbers and areas of responsibility; and

.3 Principal available rescue units at their disposal.

2.1.3 The Secretary-General shall in a suitable way transmit to all Parties the information referred to in paragraph 2.1.2.

2.1.4 Each search and rescue region shall be established by agreement among Parties concerned. The Secretary-General shall be notified of such agreement.

2.1.5 In case agreement on the exact dimensions of a search and rescue region is not reached by the Parties concerned, those Parties shall use their best endeavours to reach agreement upon appropriate arrangements under which the equivalent overall co-ordination of search and rescue services is provided in the area. The Secretary-General shall be notified of such arrangements.

2.1.6 The Secretary-General shall notify all Parties of the agreements or arrangements referred to in paragraphs 2.1.4 and 2.1.5.

2.1.7 The delimitation of search and rescue regions is not related to and shall not prejudice the delimitation of any boundary between States.

2.1.8 Parties should arrange that their search and rescue services are able to give prompt response to distress calls.

2.1.9 On receiving information that a person is in distress at sea in an area within which a Party provides for the overall co-ordination of search and rescue operations, the responsible authorities of that Party shall take urgent steps to provide the most appropriate assistance available.

2.1.10 Parties shall ensure that assistance be provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found.

2.2 *Co-ordination of search and rescue facilities*

2.2.1 Parties shall make provision for the co-ordination of the facilities required to provide search and rescue services round their coasts.

2.2.2 Parties shall establish a national machinery for the overall co-ordination of search and rescue services.

2.3 *Establishment of rescue co-ordination centres and rescue sub-centres*

2.3.1 To meet the requirements of paragraphs 2.2.1 and 2.2.2 Parties shall establish rescue co-ordination centres for their search and rescue services and such rescue sub-centres as they consider appropriate.

2.3.2 The competent authorities of each Party shall determine the area for which a rescue sub-centre is responsible.

2.3.3 Each rescue co-ordination centre and rescue sub-centre established in accordance with paragraph 2.3.1 shall have adequate means for the receipt of distress communications via a coast radio station or otherwise. Every such centre and sub-centre shall also have adequate means for communication with its rescue units and with rescue co-ordination centres or rescue sub-centres, as appropriate, in adjacent areas.

2.4 *Designation of rescue units*

2.4.1 Parties shall designate either:

- .1 As rescue units, State or other appropriate public or private services suitably located and equipped, or parts thereof; or
- .2 As elements of the search and rescue organization, State or other appropriate public or private services or parts thereof, not suitable for designation as rescue units, but which are able to participate in search and rescue operations, and shall define the functions of those elements.

2.5 *Facilities and equipment of rescue units*

2.5.1 Each rescue unit shall be provided with facilities and equipment appropriate to its task.

2.5.2 Each rescue unit should have rapid and reliable means of communication with other units or elements engaged in the same operation.

2.5.3 Containers or packages containing survival equipment for dropping to survivors should have the general nature of their contents indicated by a colour code in accordance with paragraph 2.5.4 and by printed indication and self-explanatory symbols, to the extent that such symbols exist.

2.5.4 The colour identification of the contents of droppable containers and packages containing survival equipment should take the form of streamers coloured according to the following code:

- .1 Red — medical supplies and first aid equipment;
- .2 Blue — food and water;
- .3 Yellow — blankets and protective clothing; and
- .4 Black — miscellaneous equipment such as stoves, axes, compasses and cooking utensils.

2.5.5 Where supplies of a mixed nature are dropped in one container or package, the colour code should be used in combination.

2.5.6 Instructions on the use of the survival equipment should be enclosed in each of the droppable containers or packages. They should be printed in English and in at least two other languages.

Chapter 3. CO-OPERATION

3.1 *Co-operation between States*

3.1.1 Parties shall co-ordinate their search and rescue organizations and should, whenever necessary, co-ordinate search and rescue operations with those of neighbouring States.

3.1.2 Unless otherwise agreed between the States concerned, a Party should authorize, subject to applicable national laws, rules and regulations, immediate entry into or over its territorial sea or territory of rescue units of other Parties solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties. In such cases, search and rescue operations shall, as far as practicable, be co-ordinated by the appropriate rescue co-ordination centre of the Party which has authorized entry, or such other authority as has been designated by that Party.

3.1.3 Unless otherwise agreed between the States concerned, the authorities of a Party which wishes its rescue units to enter into or over the territorial sea or territory of another Party solely for the purpose of searching for the position of maritime casualties and rescuing the survivors of such casualties, shall transmit a request, giving full details of the projected mission and the need for it, to the rescue co-ordination centre of that other Party, or to such other authority as has been designated by that Party.

3.1.4 The competent authorities of Parties shall:

- .1 Immediately acknowledge the receipt of such a request; and
- .2 As soon as possible indicate the conditions, if any, under which the projected mission may be undertaken.

3.1.5 Parties should enter into agreements with neighbouring States setting forth the conditions for entry of each other's rescue units into or over their respective territorial sea or territory. These agreements should also provide for expediting entry of such units with the least possible formalities.

3.1.6 Each Party should authorize its rescue co-ordination centres:

- .1 To request from other rescue co-ordination centres such assistance, including vessels, aircraft, personnel or equipment, as may be needed;
- .2 To grant any necessary permission for the entry of such vessels, aircraft, personnel or equipment into or over its territorial sea or territory; and

.3 To make the necessary arrangements with the appropriate customs, immigration or other authorities with a view to expediting such entry.

3.1.7 Each Party should authorize its rescue co-ordination centres to provide, when requested, assistance to other rescue co-ordination centres, including assistance in the form of vessels, aircraft, personnel or equipment.

3.1.8 Parties should enter into search and rescue agreements with neighbouring States regarding the pooling of facilities, establishment of common procedures, conduct of joint training and exercises, regular checks of inter-State communication channels, liaison visits by rescue co-ordination centre personnel and the exchange of search and rescue information.

3.2 *Co-ordination with aeronautical services*

3.2.1 Parties shall ensure the closest practicable co-ordination between maritime and aeronautical services so as to provide for the most effective and efficient search and rescue services in and over their search and rescue regions.

3.2.2 Whenever practicable, each Party should establish joint rescue co-ordination centres and rescue sub-centres to serve both maritime and aeronautical purposes.

3.2.3 Whenever separate maritime and aeronautical rescue co-ordination centres or rescue sub-centres are established to serve the same area, the Party concerned shall ensure the closest practicable co-ordination between the centres or sub-centres.

3.2.4 Parties shall ensure as far as is possible the use of common procedures by rescue units established for maritime purposes and those established for aeronautical purposes.

Chapter 4. PREPARATORY MEASURES

4.1 *Requirements for information*

4.1.1 Each rescue co-ordination centre and rescue sub-centre shall have available up-to-date information relevant to search and rescue operations in its area including information regarding:

- .1 Rescue units and coast watching units;
- .2 Any other public and private resources, including transportation facilities and fuel supplies, that are likely to be useful in search and rescue operations;
- .3 Means of communication that may be used in search and rescue operations;
- .4 Names, cable and telex addresses, telephone and telex numbers of shipping agents, consular authorities, international organizations and other agencies who may be able to assist in obtaining vital information on vessels;
- .5 The locations, call signs or maritime mobile service identities, hours of watch and frequencies of all radio stations likely to be employed in search and rescue operations;
- .6 The locations, call signs or maritime mobile service identities, hours of watch and frequencies of all coast radio stations disseminating meteorological forecasts and warnings for the search and rescue region;
- .7 The locations and hours of watch of services keeping radio watch and the frequencies guarded;
- .8 Objects likely to be mistaken for unlocated or unreported wreckage; and
- .9 Locations where supplies of droppable emergency survival equipment are stored.

4.1.2 Each rescue co-ordination centre and rescue sub-centre should have ready access to information regarding the position, course, speed and call sign or ship station identity of vessels within its area which may be able to provide assistance to vessels or

persons in distress at sea. This information shall either be kept in the rescue co-ordination centre or be readily obtainable when necessary.

4.1.3 A large-scale map shall be provided at each rescue co-ordination centre and rescue sub-centre for the purpose of displaying and plotting information relevant to search and rescue operations in its area.

4.2 *Operating plans or instructions*

4.2.1 Each rescue co-ordination centre and rescue sub-centre shall prepare or have available detailed plans or instructions for the conduct of search and rescue operations in its area.

4.2.2 The plans or instructions shall specify arrangements for the servicing and refuelling, to the extent possible, of vessels, aircraft and vehicles employed in search and rescue operations, including those made available by other States.

4.2.3 The plans or instructions should contain details regarding action to be taken by those engaged in search and rescue operations in the area, including:

- .1 The manner in which search and rescue operations are to be conducted;
- .2 The use of available communications systems and facilities;
- .3 The action to be taken jointly with other rescue co-ordination centres or rescue sub-centres, as appropriate;
- .4 The methods of alerting vessels at sea and en route aircraft;
- .5 The duties and authority of personnel assigned to search and rescue operations;
- .6 Possible redeployment of equipment that may be necessitated by meteorological or other conditions;
- .7 The methods of obtaining essential information relevant to search and rescue operations, such as appropriate notices to mariners and reports and forecasts of weather and sea surface conditions;
- .8 The methods of obtaining from other rescue co-ordination centres or rescue sub-centres, as appropriate, such assistance as may be needed, including vessels, aircraft, personnel and equipment;
- .9 The methods of assisting rescue vessels or other vessels to rendezvous with vessels in distress; and
- .10 The methods of assisting distressed aircraft compelled to ditch to rendezvous with surface craft.

4.3 *Preparedness of rescue units*

4.3.1 Each designated rescue unit shall maintain a state of preparedness commensurate with its task and should keep the appropriate rescue co-ordination centre or rescue sub-centre informed of its state of preparedness.

Chapter 5. OPERATING PROCEDURES

5.1 *Information concerning emergencies*

5.1.1 Parties shall ensure that such continuous radio watches as are deemed practicable and necessary, are maintained on international distress frequencies. A coast radio station receiving any distress call or message shall:

- .1 Immediately inform the appropriate rescue co-ordination centre or rescue sub-centre;
- .2 Rebroadcast to the extent necessary to inform ships on one or more of the international distress frequencies or on any other appropriate frequency;

- .3 Precede such rebroadcasts with the appropriate automatic alarm signals unless this has already been done; and
- .4 Take such subsequent action as decided by the competent authority.

5.1.2 Any authority or element of the search and rescue organization having reason to believe that a vessel is in a state of emergency should give as soon as possible all available information to the rescue co-ordination centre or rescue sub-centre concerned.

5.1.3 Rescue co-ordination centres and rescue sub-centres shall, immediately upon receipt of information concerning a vessel in a state of emergency, evaluate such information and determine the phase of emergency in accordance with paragraph 5.2 and the extent of operation required.

5.2 *Emergency phases*

5.2.1 For operational purposes, the following emergency phases shall be distinguished:

.1 Uncertainty phase:

- .1.1 When a vessel has been reported overdue at its destination; or
- .1.2 When a vessel has failed to make an expected position or safety report.

.2 Alert phase:

- .2.1 When, following the uncertainty phase, attempts to establish contact with the vessel have failed and inquiries addressed to other appropriate sources have been unsuccessful; or
- .2.2 When information has been received indicating that the operating efficiency of a vessel is impaired but not to the extent that a distress situation is likely.

.3 Distress phase:

- .3.1 When positive information is received that a vessel or a person is in grave and imminent danger and in need of immediate assistance; or
- .3.2 When, following the alert phase, further unsuccessful attempts to establish contact with the vessel and more widespread unsuccessful inquiries point to the probability that the vessel is in distress; or
- .3.3 When information is received which indicates that the operating efficiency of a vessel has been impaired to the extent that a distress situation is likely.

5.3 *Procedures for rescue co-ordination centres and rescue sub-centres during emergency phases*

5.3.1 Upon the declaration of the uncertainty phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall initiate inquiries in order to determine the safety of the vessel or shall declare the alert phase.

5.3.2 Upon the declaration of the alert phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall extend the inquiries for the missing vessel, alert appropriate search and rescue services and initiate such action, as described in paragraph 5.3.3, as is necessary in the light of the circumstances of the particular case.

5.3.3 Upon the declaration of the distress phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall:

- .1 Initiate action in accordance with the arrangements set out in paragraph 4.2;
- .2 Where appropriate, estimate the degree of uncertainty of the vessel's position and determine the extent of any area to be searched;
- .3 Notify the owner of the vessel or his agent if possible and keep him informed of developments;

- .4 Notify other rescue co-ordination centres or rescue sub-centres, the help of which seems likely to be required or which may be concerned in the operation;
- .5 Request at an early stage any help which might be available from aircraft, vessels or services not specifically included in the search and rescue organization, considering that, in the majority of distress situations in ocean areas, other vessels in the vicinity are important elements for search and rescue operations;
- .6 Draw up a broad plan for the conduct of the operations from the information available and communicate such plan to the authorities designated in accordance with paragraphs 5.7 and 5.8 for their guidance;
- .7 Amend as necessary in the light of circumstances the guidance already given in paragraph 5.3.3.6;
- .8 Notify the consular or diplomatic authorities concerned or, if the incident involves a refugee or displaced person, the office of the competent international organization;
- .9 Notify accident investigation authorities as appropriate; and
- .10 Notify any aircraft, vessel or other services mentioned in paragraph 5.3.3.5 in consultation with the authorities designated in accordance with paragraph 5.7 or 5.8, as appropriate, when their assistance is no longer required.

5.3.4 Initiation of search and rescue operations in respect of a vessel whose position is unknown

5.3.4.1 In the event of an emergency phase being declared in respect of a vessel whose position is unknown, the following shall apply:

- .1 When a rescue co-ordination centre or rescue sub-centre is notified of the existence of an emergency phase and is unaware of other centres taking appropriate action, it shall assume responsibility for initiating suitable action and confer with neighbouring centres with the objective of designating one centre to assume responsibility forthwith;
- .2 Unless otherwise decided by agreement between the centres concerned, the centre to be designated shall be the centre responsible for the area in which the vessel was according to its last reported position; and
- .3 After the declaration of the distress phase, the centre co-ordinating the search and rescue operations shall, if necessary, inform other appropriate centres of all the circumstances of the state of emergency and of all subsequent developments.

5.3.5 Passing information to vessels in respect of which an emergency phase has been declared

5.3.5.1 Whenever applicable, the rescue co-ordination centre or rescue sub-centre responsible for search and rescue operations shall be responsible for passing to the vessel for which an emergency phase has been declared, information on the search and rescue operation it has initiated.

5.4 *Co-ordination when two or more parties are involved*

5.4.1 Where the conduct of operations over the entire search and rescue region is the responsibility of more than one Party, each Party shall take appropriate action in accordance with the operating plans or instructions referred to in paragraph 4.2 when so requested by the rescue co-ordination centre of the region.

5.5 *Termination and suspension of search and rescue operations*

5.5.1 *Uncertainty phase and alert phase*

5.5.1.1 When during an uncertainty phase or an alert phase a rescue co-ordination centre or rescue sub-centre, as appropriate, is informed that the emergency no longer exists, it shall so inform any authority, unit or service which has been activated or notified.

5.5.2 Distress phase

5.5.2.1 When during a distress phase a rescue co-ordination centre or rescue sub-centre, as appropriate, is informed by the vessel in distress or other appropriate sources that the emergency no longer exists, it shall take the necessary action to terminate the search and rescue operations and to inform any authority, unit or service which has been activated or notified.

5.5.2.2 If during a distress phase it has been determined that the search should be discontinued the rescue co-ordination centre or rescue sub-centre, as appropriate, shall suspend the search and rescue operations and so inform any authority, unit or service which has been activated or notified. Information subsequently received shall be evaluated and search and rescue operations resumed when justified on the basis of such information.

5.5.2.3 If during a distress phase it has been determined that further search would be of no avail, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall terminate the search and rescue operations and so inform any authority, unit or service which has been activated or notified.

5.6 *On-scene co-ordination of search and rescue activities*

5.6.1 The activities of units engaged in search and rescue operations, whether they be rescue units or other assisting units, shall be co-ordinated to ensure the most effective results.

5.7 *Designation of on-scene commander and his responsibilities*

5.7.1 When rescue units are about to engage in search and rescue operations, one of them should be designated on-scene commander as early as practicable and preferably before arrival within the specified search area.

5.7.2 The appropriate rescue co-ordination centre or rescue sub-centre should designate an on-scene commander. If this is not practicable, the units involved should designate by mutual agreement an on-scene commander.

5.7.3 Until such time as an on-scene commander has been designated, the first rescue unit arriving at the scene of action should automatically assume the duties and responsibilities of an on-scene commander.

5.7.4 An on-scene commander shall be responsible for the following tasks when these have not been performed by the responsible rescue co-ordination centre or rescue sub-centre, as appropriate:

- .1 Determining the probable position of the object of the search, the probable margin of error in this position, and the search area;
- .2 Making arrangements for the separation for safety purposes of units engaged in the search;
- .3 Designating appropriate search patterns for the units participating in the search and assigning search areas to units or groups of units;
- .4 Designating appropriate units to effect rescue when the object of the search is located; and
- .5 Co-ordinating on-scene search and rescue communications.

5.7.5 An on-scene commander shall also be responsible for the following:

- .1 Making periodic reports to the rescue co-ordination centre or rescue sub-centre which is co-ordinating the search and rescue operations; and
- .2 Reporting the number and the names of survivors to the rescue co-ordination centre or rescue sub-centre which is co-ordinating the search and rescue operations, providing the centre with the names and destinations of units with survivors aboard, reporting

which survivors are in each unit and requesting additional assistance from the centre when necessary, for example, medical evacuation of seriously injured survivors.

5.8 *Designation of co-ordinator surface search and his responsibilities*

5.8.1 If rescue units (including warships) are not available to assume the duties of an on-scene commander but a number of merchant vessels or other vessels are participating in the search and rescue operations, one of them should be designated by mutual agreement as co-ordinator surface search.

5.8.2 The co-ordinator surface search should be designated as early as practicable and preferably before arrival within the specified search area.

5.8.3 The co-ordinator surface search should be responsible for as many of the tasks listed in paragraphs 5.7.4 and 5.7.5 as the vessel is capable of performing.

5.9 *Initial action*

5.9.1 Any unit receiving information of a distress incident shall take whatever immediate action to assist as is within its capability or shall alert other units which might be able to assist and shall notify the rescue co-ordination centre or rescue sub-centre in whose area the incident has occurred.

5.10 *Search areas*

5.10.1 Search areas determined in accordance with paragraph 5.3.3.2, 5.7.4.1 or 5.8.3 may be altered as appropriate by the on-scene commander or the co-ordinator surface search, who should notify the rescue co-ordination centre or rescue sub-centre of his action and his reasons for doing so.

5.11 *Search patterns*

5.11.1 Search patterns designated in accordance with paragraph 5.3.3.6, 5.7.4.3 or 5.8.3 may be changed to other patterns if considered necessary by the on-scene commander or the co-ordinator surface search, who should notify the rescue co-ordination centre or rescue sub-centre of his action and his reasons for doing so.

5.12 *Search successful*

5.12.1 When the search has been successful the on-scene commander or the co-ordinator surface search should direct the most suitably equipped units to conduct the rescue or to provide other necessary assistance.

5.12.2 Where appropriate the units conducting the rescue should notify the on-scene commander or the co-ordinator surface search of the number and names of survivors aboard, whether all personnel have been accounted for and whether additional assistance is required, for example, medical evacuations, and the destination of the units.

5.12.3 The on-scene commander or the co-ordinator surface search should immediately notify the rescue co-ordination centre or rescue sub-centre when the search has been successful.

5.13 *Search unsuccessful*

5.13.1 The search should only be terminated when there is no longer any reasonable hope of rescuing survivors.

5.13.2 The rescue co-ordination centre or rescue sub-centre co-ordinating the search and rescue operations should normally be responsible for terminating the search.

5.13.3 In remote ocean areas not under the responsibility of a rescue co-ordination centre or where the responsible centre is not in a position to co-ordinate the search and rescue operations, the on-scene commander or the co-ordinator surface search may take responsibility for terminating the search.

Chapter 6. SHIP REPORTING SYSTEMS

6.1 General

6.1.1 Parties should establish a ship reporting system for application within any search and rescue region for which they are responsible, where this is considered necessary to facilitate search and rescue operations and is deemed practicable.

6.1.2 Parties contemplating the institution of a ship reporting system should take account of the relevant recommendations of the Organization.

6.1.3 The ship reporting system should provide up-to-date information on the movements of vessels in order, in the event of a distress incident:

- .1 To reduce the interval between the loss of contact with a vessel and the initiation of search and rescue operations in cases where no distress signal has been received;
- .2 To permit rapid determination of vessels which may be called upon to provide assistance;
- .3 To permit delineation of a search area of limited size in case the position of a vessel in distress is unknown or uncertain; and
- .4 To facilitate the provision of urgent medical assistance or advice to vessels not carrying a doctor.

6.2 Operational requirements

6.2.1 To achieve the objectives set out in paragraph 6.1.3, the ship reporting system should satisfy the following operational requirements:

- .1 Provision of information, including sailing plans and position reports, which would make it possible to predict the future positions of participating vessels;
- .2 Maintenance of a shipping plot;
- .3 Receipt of reports at appropriate intervals from participating vessels;
- .4 Simplicity in system design and operation; and
- .5 Use of an internationally agreed standard ship reporting format and internationally agreed standard procedures.

6.3 Types of reports

6.3.1 A ship reporting system should incorporate the following reports:

- .1 Sailing plan — giving name, call sign or ship station identity, date and time (in GMT) of departure, details of the vessel's point of departure, next port of call, intended route, speed and expected date and time (in GMT) of arrival. Significant changes should be reported as soon as possible.
- .2 Position report — giving name, call sign or ship station identity, date and time (in GMT), position, course and speed.
- .3 Final report — giving name, call sign or ship station identity, date and time (in GMT) of arrival at destination or of leaving the area covered by the system.

6.4 Use of systems

6.4.1 Parties should encourage all vessels to report their positions when travelling in areas where arrangements have been made to collect information on positions for search and rescue purposes.

6.4.2 Parties recording information on the position of vessels should disseminate, so far as practicable, such information to other States when so requested for search and rescue purposes.

智利：

For Chile:

Pour le Chili :

За Чили:

Por Chile:

Ad Referendum

[M. SCHWEITZER]¹

中国：

For China:

Pour la Chine :

За Китай:

Por China:

[KE HUA]

Subject to approval²

丹 麥：

For Denmark:

Pour le Danemark :

За Данию:

Por Dinamarca:

[JENS CHRISTENSEN]

Subject to ratification³

法 国：

For France:

Pour la France :

За Францию:

Por Francia:

[G. MARCHAND]

Sans réserve quant à l'approbation⁴

德意志联邦共和国：

For the Federal Republic of Germany:

Pour la République fédérale d'Allemagne :

За Федеративную Республику Германии:

Por la República Federal de Alemania:

[H. RUETE]

[W. LAMPE]

Subject to ratification³

¹ Names of signatories appearing between brackets were not legible and have been supplied by the International Maritime Organization — Les noms des signataires, donnés entre crochets étaient illisibles et ont été fournis par l'Organisation maritime internationale.

² Sous réserve d'approbation.

³ Sous réserve de ratification.

⁴ Without reservation as to approval.

希腊 :

For Greece:

Pour la Grèce :

За Грецию:

Por Grecia:

Subject to ratification¹[P. LAGACOS]²**荷兰 :**

For the Netherlands:

Pour les Pays-Bas :

За Нидерланды:

Por los Países Bajos:

[R. FACK]

Subject to acceptance³**挪威 :**

For Norway:

Pour la Norvège :

За Норвегию:

Por Noruega:

Subject to ratification¹

[FRITHJOF JACOBSEN]

波兰 :

For Poland:

Pour la Pologne :

За Польшу:

Por Polonia:

[ANDERS]

Subject to ratification¹**瑞士联邦政府 :**

For the Government of the Swiss Confederation:

Pour le Gouvernement de la Confédération suisse :

От имени Правительства Швейцарской Конфедерации:

Por el Gobierno de la Confederación Suiza:

Sous réserve de la ratification⁴

[R. STETTLER]

¹ Sous réserve de ratification.² See p. 185 of this volume for the text of the reservation made upon signature — Voir p. 185 du présent volume pour le texte de la réserve formulée lors de la signature.³ Sous réserve d'acceptation.⁴ Subject to ratification.

土耳其：

For Turkey:
 Pour la Turquie :
 За Турцию:
 Por Turquía:

Subject to ratification¹
 [VAHAP AŞIROĞLU]

苏维埃社会主义共和国联盟：

For the Union of Soviet Socialist Republics:
 Pour l'Union des Républiques socialistes soviétiques :
 За Союз Советских Социалистических Республик:
 Por la Unión de Repúblicas Socialistas Soviéticas:

[N. LUNKOV]
 Subject to subsequent ratification²

大不列颠及北爱尔兰联合王国：

For the United Kingdom of Great Britain and Northern Ireland:
 Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :
 За Соединенное Королевство Великобритании и Северной Ирландии:
 Por el Reino Unido de Gran Bretaña e Irlanda del Norte:

[P. L. GREGSON]³
 With declaration⁴

美利坚合众国：

For the United States of America:
 Pour les Etats-Unis d'Amérique :
 За Соединенные Штаты Америки:
 Por los Estados Unidos de América:

Subject to ratification¹
 [JOHN B. HAYES]
 [WALKER DIAMANTI]

¹ Sous réserve de ratification.

² Sous réserve de ratification ultérieure.

³ See p. 187 of this volume for the text of the declaration made upon signature — Voir p. 187 du présent volume pour le texte de la déclaration faite lors de la signature.

⁴ Avec déclaration.

RESERVATION
MADE UPON SIGNATURE
GREECE¹

"As far as Greece is concerned, the search and rescue region referred to in paragraphs 2.1.4 and 2.1.5 of the Annex to the present Convention is the region within which Greece has already assumed the responsibility for search and rescue purposes, established in accordance with the relevant Chicago Convention on International Civil Aviation of 7 December 1944² and the regulation 15 of Chapter V of the International Convention for Safety of Life at Sea of 17 June 1960³ (SOLAS 1960). Such region was notified to the Inter-Governmental Maritime Consultative Organization by the document No. 44/7-1-1975 of the Greek Ministry of Mercantile Marine and Greece has been continuously carrying out within its search and rescue operations."

¹ The Secretary-General of the International Maritime Organization received the following communication dated 30 December 1980 from the Ambassador of Turkey in London:

"... the Government of Turkey would like to record its formal objection to the reservation made by the Government of Greece on 20 August 1980 at the time of the signature of the International Convention on Maritime Search and Rescue, 1979.

"The Government of Turkey is of the opinion that the Greek reservation is incompatible with the object and purpose of the Convention and thus cannot be construed as a reservation under the international law."

² United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

³ Inter-Governmental Maritime Consultative Organization, *International Conference on Safety of Life at Sea, 1960*, London, 1970.

RÉSERVE
FAITE LORS DE LA SIGNATURE
GRÈCE¹

[TRADUCTION² — TRANSLATION³]

En ce qui concerne la Grèce, la région de recherche et de sauvetage dont il est question aux paragraphes 2.1.4 et 2.1.5 de l'Annexe à la présente Convention est la région à l'intérieur de laquelle la Grèce a déjà assumé la responsabilité aux fins de recherche et de sauvetage, définie conformément aux dispositions pertinentes de la Convention relative à l'aviation civile internationale, signée à Chicago le 7 décembre 1944⁴ et à la règle 15 du chapitre V de la Convention internationale pour la sauvegarde de la vie humaine en mer, en date du 17 juin 1960 (SOLAS 1960)⁵. Cette région a été notifiée à l'Organisation intergouvernementale consultative de la navigation maritime par le document n° 44/7-1-1975 émanant du Ministère de la marine marchande de la Grèce et la Grèce effectue de manière continue des opérations de recherche et de sauvetage à l'intérieur de cette région.

¹ Le Secrétaire général de l'Organisation maritime internationale a reçu de l'Ambassadeur de Turquie à Londres la communication ci-après datée du 30 décembre 1980 :

[TRADUCTION* — TRANSLATION**]

"... le Gouvernement turc souhaite faire connaître officiellement son objection à la réserve formulée par le Gouvernement grec le 20 août 1980 au moment de la signature de la Convention internationale de 1979 sur la recherche et le sauvetage maritimes.

Le Gouvernement turc est d'avis que la réserve formulée par la Grèce est inconciliable avec l'objet et le but de la Convention et que, de ce fait, elle ne peut être considérée comme une réserve au sens du droit international.

* Traduction fournie par l'Organisation maritime internationale.

** Translation supplied by the International Maritime Organization.

² Nations Unies, *Recueil des Traités*, vol. 15, p. 295. Pour les textes des Protocoles amendant cette Convention, voir vol. 320, p. 209 et 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, et vol. 1175, p. 297.

³ Organisation intergouvernementale consultative de la navigation maritime, *Conférence internationale pour la sauvegarde de la vie humaine en mer, 1960*, Londres, 1970.

DECLARATION
MADE UPON ACCESSION

AUSTRALIA

“Australia has a federal constitutional system in which legislative, executive and judicial powers are shared or distributed between the Commonwealth and the constituent States.

“The implementation of the Treaty throughout Australia will be effected by the Commonwealth, State and Territory authorities having regard to their respective constitutional powers and arrangements concerning their exercise.”

DECLARATION
MADE UPON RATIFICATION

*GERMANY,
FEDERAL REPUBLIC OF*

DÉCLARATION
FAITE LORS DE L'ADHÉSION

AUSTRALIE

[TRADUCTION¹ — TRANSLATION²]

L'Australie a une structure fédérative dans le cadre de laquelle les pouvoirs législatif, exécutif et judiciaire sont partagés ou répartis entre le Commonwealth et les différents Etats fédérés.

La mise en application de la Convention en Australie sera effectuée par les autorités du Commonwealth, des Etats et des Territoires dans le cadre de leurs pouvoirs constitutionnels respectifs et conformément aux dispositions prises en vue de l'exercice de ces pouvoirs.

DÉCLARATION FAITE
LORS DE LA RATIFICATION

*ALLEMAGNE,
RÉPUBLIQUE FÉDÉRALE D'*

[GERMAN TEXT — TEXTE ALLEMAND]

„daß das Übereinkommen mit Wirkung von dem Tage, an dem es für die Bundesrepublik Deutschland in Kraft treten wird, auch für Berlin (West) gilt.“

[TRANSLATION¹ — TRADUCTION²]

. . . that the said Convention shall also apply to Berlin (West) with effect from the date on which the Convention enters into force for the Federal Republic of Germany.

[TRADUCTION¹ — TRANSLATION²]

. . . ladite Convention est également applicable à Berlin (Ouest) à compter de la date où elle entre en vigueur pour la République fédérale d'Allemagne.

¹ Translation supplied by the International Maritime Organization.

² Traduction fournie par l'Organisation maritime internationale.

¹ Traduction fournie par l'Organisation maritime internationale.

² Translation supplied by the International Maritime Organization.

DECLARATION MADE
UPON DEFINITIVE SIGNATURE

*UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELAND*

“... that the Convention will not enter into force for Gibraltar until 30 days after the date on which the Government of the United Kingdom notify the Secretary-General of the Inter-Governmental Maritime Consultative Organization that the measures required to implement the provisions of the Convention in Gibraltar have been taken”.

DÉCLARATION FAITE LORS
DE LA SIGNATURE DÉFINITIVE

*ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE DU
NORD*

[TRADUCTION¹ — TRANSLATION²]

... que la Convention n'entrera pas en vigueur pour Gibraltar moins de 30 jours après la date à laquelle le Gouvernement du Royaume-Uni aura notifié au Secrétaire général de l'Organisation intergouvernementale consultative de la navigation maritime que les mesures requises ont été prises en vue de la mise en œuvre des dispositions de la Convention à Gibraltar.

¹ Traduction fournie par l'Organisation maritime internationale.

² Translation supplied by the International Maritime Organization.

FINAL ACT¹ OF THE INTERNATIONAL CONFERENCE ON MARITIME SEARCH AND RESCUE, 1979

1. By its Resolution A.406(X) of 17 November 1977, the Assembly of the Inter-Governmental Maritime Consultative Organization decided to convene an international conference to consider the adoption of a convention on maritime search and rescue.

2. Upon the invitation of the Government of the Federal Republic of Germany, the Conference was held in Hamburg from 9 to 27 April 1979. The following States were represented by delegations at the Conference:

Algeria	Mexico
Argentina	Netherlands
Australia	New Zealand
Belgium	Nigeria
Brazil	Norway
Bulgaria	Poland
Canada	Portugal
Chile	Saudi Arabia
China	Singapore
Cuba	Spain
Cyprus	Sweden
Denmark	Switzerland
Finland	Thailand
France	Trinidad and Tobago
Gabon	Tunisia
German Democratic Republic	Turkey
Germany, Federal Republic of	Union of Soviet Socialist Republics
Greece	United Kingdom of Great Britain and Northern Ireland
India	United Republic of Cameroon
Indonesia	United States of America
Ireland	Uruguay
Italy	Venezuela
Ivory Coast	Yemen
Japan	Yugoslavia
Kuwait	Zaire
Liberia	

3. Bolivia and the Dominican Republic were represented at the Conference by observers.

4. Hong Kong, an Associate Member of the Inter-Governmental Maritime Consultative Organization, sent an observer to the Conference.

5. The following organizations in the United Nations system sent representatives to the Conference:

Office of the United Nations High Commissioner for Refugees (UNHCR)
International Civil Aviation Organization (ICAO)
International Telecommunication Union (ITU)
World Meteorological Organization (WMO)

¹ The Final Act and resolutions annexed thereto are published in this volume for the purpose of information (information provided by the Secretariat of the United Nations).

6. The following non-governmental organizations sent observers to the Conference:

International Chamber of Shipping (ICS)
International Confederation of Free Trade Unions (ICFTU)
International Radio-Maritime Committee (CIRM)
International Shipowners' Association (INSA)
International Federation of Shipmasters' Associations (IFSMA)

7. The Conference was opened by Mr. C. P. Srivastava, Secretary-General of the Inter-Governmental Maritime Consultative Organization. On behalf of the Government of the Federal Republic of Germany, Mr. H. Ruhnau, Secretary of State, made a statement welcoming the delegates. Mr. J. Steinert, Senator of the Free and Hanseatic City of Hamburg, also welcomed the delegates.

8. Dr. G. Breuer, Head of the delegation of the Federal Republic of Germany, was elected President of the Conference.

9. The following were elected Vice-Presidents of the Conference:

Capitán A. A. Torre (Argentina)
Mr. Wu Ying Cheng (China)
Mr. G. Marchand (France)
Mr. S. Kobayashi (Japan)
Dr. M. Kayal (Saudi Arabia)
Mr. A. Baouab (Tunisia)
Mr. G. Kolesnikov (USSR)
H. E. Mr. J.-B. Beleoken (United Republic of Cameroon)
Commander A. J. McCullough (United States)
Contralmirante N. Sánchez Luna (Venezuela)

10. The Secretariat of the Conference consisted of the following officers:

Secretary-General: Mr. C. P. Srivastava
Executive Secretary: Mr. G. Kostylev
Deputy Executive Secretary: Mr. W. S. G. Morrison
Secretary to the Plenary: Mr. W. de Goede

11. The Conference established the following Committees with officers as indicated:

Steering Committee

Chairman: Dr. G. Breuer (Federal Republic of Germany), President of the Conference

Committee I

Chairman: Mr. G. S. Santa-Cruz (Chile)
Vice-Chairman: Mr. A. R. M. Al-Yagout (Kuwait)

Committee II

Chairman: Mr. E. J. Salvesen (Norway)
Vice-Chairman: Lieutenant-Commander G. J. Dakoury (Ivory Coast)

Drafting Committee

Chairman: Mr. P. D. Hamilton-Eddy (United Kingdom)
Vice-Chairman: Mr. H. GÜvener (Turkey)

Credentials Committee

Chairman: Mr. R. Drummond de Mello (Brazil)

12. The following documentation formed the basis for the work of the Conference:

- A draft International Convention on Maritime Search and Rescue and related resolutions prepared by the Group of Experts on Search and Rescue of the Inter-Governmental Maritime Consultative Organization and approved by its Maritime Safety Committee;
- Proposals and comments thereon submitted to the Conference by governments and interested organizations.

13. As a result of its deliberations, recorded in the summary records of the plenary meetings, the Conference adopted the International Convention on Maritime Search and Rescue, 1979,¹ which constitutes Attachment 1 to this Final Act.

14. The Conference also adopted the Resolutions² contained in Attachment 2 to this Final Act.

15. The text of this Final Act, including its attachments, is established in a single original text in the Chinese, English, French, Russian and Spanish languages and is deposited with the Secretary-General of the Inter-Governmental Maritime Consultative Organization. Official translations of the Convention shall be prepared in the Arabic, German and Italian languages and shall be deposited with this Final Act.

16. The Secretary-General of the Inter-Governmental Maritime Consultative Organization shall send certified copies of this Final Act together with the Resolutions of the Conference, certified copies of the authentic texts of the Convention and, when they have been prepared, of the official translations of the Convention, to the Governments of the States invited to be represented at the Conference, in accordance with the wishes of those Governments.

IN WITNESS WHEREOF the undersigned have affixed their signatures to this Final Act.

DONE at Hamburg this twenty-seventh day of April one thousand nine hundred and seventy-nine.

¹ See p. 119 of this volume.

² See p. 224 of this volume.

阿根廷：

For Argentina:
Pour l'Argentine :
За Аргентину:
Por la Argentina:

[A. A. TORRE]

澳大利亚：

For Australia:
Pour l'Australie :
За Австралию:
Por Australia:

[P. B. ECCLES]
[F. D. SIMMONDS]

比利时：

For Belgium:
Pour la Belgique :
За Бельгию:
Por Belgica:

[H. VAN LOOCKE]

巴西：

For Brazil:
Pour le Brésil :
За Бразилию:
Por el Brasil:

[O. DE CAMARGO PENTEADO]

保加利亚：

For Bulgaria:
Pour la Bulgarie :
За България:
Por Bulgaria:

[N. YOVTSHEV]

加拿大：

For Canada:
Pour le Canada :
За Канаду:
Por el Canadá:

[R. A. QUAIL]
[F. A. S. MILLAR]

智利：

For Chile:
Pour le Chili :
За Чили:
Por Chile:

[J. RIETHMÜLLER]

中国：

For China:
Pour la Chine :
За Китай:
Por China:

[WU YING CHENG]
[SHEN CHAO-CHI]
[FU MING DE]

古巴：

For Cuba:
Pour Cuba :
За Кубу:
Por Cuba:

[P. GARCÍA MEDINA]

塞浦路斯：

For Cyprus:
Pour Chypre :
За Кипр:
Por Chipre:

[G. CONSTANTOPOULOS]

丹麦：

For Denmark:
Pour le Danemark :
За Данию:
Por Dinamarca:

[N. J. BAGGE]
[H. ROSSING]

芬兰：

For Finland:
Pour la Finlande :
За Финляндию:
Por Finlandia:

[T. LEHTOVAARA]
[J. ENGSTRÖM]

法国 :

For France:
Pour la France :
За Францию:
Por França:

[G. MARCHAND]

[C. MAURAND]

加蓬 :

For Gabon:
Pour le Gabon :
За Габон:
Por el Gabon:

[G.-A. MATHAS]

[M. S. ANKOUBOU]

德意志民主共和国 :

For the German Democratic Republic:
Pour la République démocratique allemande :
За Германскую Демократическую Республику:
Por la República Democrática Alemania:

[G. HAUSSMANN]

德意志联邦共和国 :

For the Federal Republic of Germany:
Pour la République fédérale d'Allemagne :
За Федеративную Республику Германии:
Por la República Federal de Alemania:

[W. H. LAMPE]

[D. H. ROTH]

[H. NOWAK]

希腊 :

For Greece:
Pour la Grèce :
За Грецию:
Por Grecia:

[I. KOLLIAS]

[T. VENETSANOS]

印度：

For India:

Pour l'Inde :

За Индию:

Por la India:

[J. BANERJEE]

印度尼西亚：

For Indonesia:

Pour l'Indonésie :

За Индонезию:

Por Indonesia:

[J. PIAY]

[S. TARDANA]

[D. INDARTO]

爱尔兰：

For Ireland:

Pour l'Irlande :

За Ирландию:

Por Irlanda:

[M. O'BRIEN]

意大利：

For Italy:

Pour l'Italie :

За Италию:

Por Italia:

[R. SCHIAVETTI]

[P. GIANNELLA]

象牙海岸：

For the Ivory Coast:

Pour la Côte d'Ivoire :

За Берег Слоновой Кости:

Por la Costa de Marfil:

[G. J. DAKOURY]

日本 :

For Japan:
Pour le Japon :
За Японию:
Por el Japón:

[M. YAMAZAKI]

[S. HIROKAWA]

[O. OWADA]

科威特 :

For Kuwait:
Pour le Koweït :
За Кувейт:
Por Kuwait:

[A. R. M. AL-YAGOUT]

利比里亚 :

For Liberia:
Pour le Libéria :
За Либерию:
Por Liberia:

[J. C. MONTGOMERY]

[W. R. DAVIS, Jr.]

[D. J. F. BRUCE]

墨西哥 :

For Mexico:
Pour le Mexique :
За Мексику:
Por Mexico:

[C. G. DEMN E. SANGRI NAMUR]

荷兰 :

For the Netherlands:
Pour les Pays-Bas :
За Нидерланды:
Por los Países Bajos:

[M. BOORSMA]

[M. S. KAPPEYNE VAN DE COPPELLO]

[J. C. BUIJS]

新西兰 :

For New Zealand:

Pour la Nouvelle-Zélande :

За Новую Зеландию:

Por Nueva Zelandia:

[E. G. BOYACK]

尼日利亚 :

For Nigeria:

Pour le Nigéria :

За Нигерию:

Por Nigeria:

[E. O. AGBAKOBA]

挪威 :

For Norway:

Pour la Norvège :

За Норвегию:

Por Noruega:

[E. J. SALVESEN]

[T. STOLTENBERG]

[H. HOGSTAD]

[E. RAENG]

[B. HAUGERUD]

[J. LUND]

波兰 :

For Poland:

Pour la Pologne :

За Польшу:

Por Polonia:

[J. VONAU]

葡萄牙 :

For Portugal:

Pour le Portugal :

За Португалию:

Por Portugal:

[A. SILVA NOGUEIRA]

沙特阿拉伯 :

For Saudi Arabia:

Pour l'Arabie saoudite :

За Саудовскую Аравию:

Por la Arabia Saudita:

[S. M. TAHLAWI]

[A. M. ZAILAE]

[M. W. GHALI]

新加坡 :

For Singapore:

Pour Singapour :

За Сингапур:

Por Singapur:

[LIM TECK EE]

西班牙 :

For Spain:

Pour l'Espagne :

За Испанию:

Por España:

[J. MILLARUELO Y CLEMENTEZ]

[A. MATO]

瑞典 :

For Sweden:

Pour la Suède :

За Швецию:

Por Suecia:

[G. LIND AF HAGEBY]

[B. C. KJELLEGARD]

[B. BERGH]

瑞士 :

For Switzerland:

Pour la Suisse :

За Швейцарию:

Por Suiza:

[R. STETTLER]

泰国 :

For Thailand:

Pour la Thaïlande :

За Таиланд:

Por Tailandia:

[K. SANDHIKSHETRIN]

特立尼达和多巴哥 :

For Trinidad and Tobago:

Pour la Trinité-et-Tobago :

За Тринидад и Тобаго:

Por Trinidad y Tabago:

突尼斯 :

For Tunisia:

Pour la Tunisie :

За Тунис:

Por Túnez:

[A. BAOUAB]

土耳其 :

For Turkey:

Pour la Turquie :

За Турцию:

Por Turquía:

[H. GÜVENER]

苏维埃社会主义共和国联盟 :

For the Union of Soviet Socialist Republics:

Pour l'Union des Républiques socialistes soviétiques :

За Союз Советских Социалистических Республик:

Por la Unión de Repúblicas Socialistas Soviéticas:

[G. KOLESNIKOV]

[B. S. MAINAGACHEV]

[G. S. LEONTIEV]

大不列颠及北爱尔兰联合王国 :

For the United Kingdom of Great Britain and Northern Ireland:

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

За Соединенное Королевство Великобритании и Северной Ирландии:

Por el Reino Unido de Gran Bretaña e Irlanda del Norte:

[J. S. H. WHITE]

[G. N. LORD]

[P. D. HAMILTON-EDDY]

喀麦隆联合共和国：

For the United Republic of Cameroon:
Pour la République-Unie du Cameroun :
За Объединенную Республику Камерун:
Por la República Unida del Camerún:

[J.-B. BELEOKEN]

美利坚合众国：

For the United States of America:
Pour les Etats-Unis d'Amérique :
За Соединенные Штаты Америки:
Por los Estados Unidos de América:

[N. C. VENZKE]

[A. J. MCCULLOUGH]

乌拉圭：

For Uruguay:
Pour l'Uruguay :
За Уругвай:
Por el Uruguay:

[H. BOMIO]

[J. COATES]

委内瑞拉：

For Venezuela:
Pour le Venezuela :
За Венесуэлу:
Por Venezuela:

[N. SÁNCHEZ LUNA]

也门：

For Yemen:
Pour le Yémen :
За Йемен:
Por el Yemen:

南斯拉夫：

For Yugoslavia:
Pour la Yougoslavie :
За Югославию:
Por Yugoslavia:

[M. ŠIKIČ]

[V. STALIO]

扎伊尔：

For Zaire:

Pour le Zaïre :

За Заир:

Por el Zaire:

[GHONDA BOMVIEE]

[*Illegible — Illisible*]

ATTACHMENT 2

RESOLUTIONS ADOPTED BY THE CONFERENCE

RESOLUTION 1. ARRANGEMENTS FOR PROVISION AND CO-ORDINATION
OF SEARCH AND RESCUE SERVICES

The Conference,

Noting the provisions of the Annex to the International Convention on Maritime Search and Rescue, 1979, concerning arrangements for the provision and co-ordination of search and rescue services,

Noting further that the Annex provides that maritime search and rescue regions shall be established by agreement among the Parties,

Recognizing that aeronautical search and rescue services have been established by Contracting States to the Convention on International Civil Aviation,

Bearing in mind that close co-operation between maritime and aeronautical search and rescue services is essential,

Recognizing further the need to provide and co-ordinate maritime search and rescue services on a world-wide basis,

Noting also the need for further action,

Resolves:

(a) To urge States to provide, to the extent that it may be necessary and feasible, co-ordination of search and rescue services in all sea areas regardless of whether or not they provide those services for aeronautical purposes;

(b) To urge States to forward to the Inter-Governmental Maritime Consultative Organization information on their national search and rescue services and to invite the Secretary-General of that Organization to circulate the information received to all its Member Governments;

(c) To invite the Inter-Governmental Maritime Consultative Organization:

- (1) To continue to work closely with the International Civil Aviation Organization in order to harmonize aeronautical and maritime search and rescue plans and procedures;
- (2) To publish all available information concerning agreements on maritime search and rescue regions or arrangements for equivalent overall co-ordination of maritime search and rescue services; and
- (3) To advise and assist States in the establishment of their search and rescue services.

RESOLUTION 2. COST TO SHIPS OF PARTICIPATION
IN SHIP REPORTING SYSTEMS

The Conference,

Noting Recommendation 47 of the International Conference on Safety of Life at Sea, 1960,

Recognizing that, with the growing importance of national, and possibly in the future, of international ship reporting systems, Recommendation 47 has probably more significance today than when it was originally adopted,

Recognizing further that the absence of any charge for participation could provide, as has already been demonstrated, a powerful incentive for ships to co-operate in voluntary ship reporting systems,

Recognizing in addition that ships' participation in voluntary ship reporting systems has demonstrated that it has safety advantages,

Recommends that States should arrange that participation in such systems shall be free of message cost to the ships concerned.

**RESOLUTION 3. NEED FOR AN INTERNATIONALLY AGREED FORMAT
AND PROCEDURE FOR SHIP REPORTING SYSTEMS**

The Conference,

Considering the provisions of Chapter 6 of the Annex to the International Convention on Maritime Search and Rescue, 1979, relating to ship reporting systems,

Considering further that several national ship reporting systems are in force at present using differing procedures and reporting formats,

Recognizing that masters of international trading vessels moving from an area covered by one ship reporting system to another could become confused by these differing procedures and reporting formats,

Recognizing further that the possibility of such confusion could be much reduced by the adoption of an internationally agreed standard ship reporting format and internationally agreed standard procedures,

Invites the Inter-Governmental Maritime Consultative Organization to develop, using the annexed format as a basis, an internationally agreed format for ship reporting systems established for the purpose of search and rescue in accordance with the provisions of Chapter 6 of the Annex to the Convention,

Requests that Organization to ensure that all reporting systems, established for purposes other than search and rescue, are as far as possible compatible in reporting format and procedures with those to be developed for the purpose of search and rescue.

ANNEX

SHIP REPORTING FORMAT AND PROCEDURES

Format (see note 1)

Message identifier:	SHIPREP (area or system designator)
Type of report:	A: A 2-letter group: "SP" (sailing plan) "PR" (position report) "FR" (final report)
Ship:	B: Name and call sign or ship station identity
Date/time (G.M.T.):	C: A 6-digit group giving date of month (first 2 digits), hours and minutes (last 4 digits)

Position:	D: Departure port (SP) or arrival port (FR)
	E: A 4-digit group giving latitude in degrees and minutes suffixed with "N" or "S" and a 5-digit group giving longitude in degrees and minutes suffixed with "E" or "W"
True course:	F: A 3-digit group
Speed in knots:	G: A 2-digit group
Route information:	H: Intended track (see note 2)
E.T.A.	I: Date/time group expressed by a 6-digit group, as in C above, followed by destination
Coast radio station guarded:	J: Name of station
Time of next report:	K: Date/time group expressed by a 6-digit group, as in C above
Miscellaneous:	L: Any other information

Procedures

The report should be sent as follows:

Sailing plan: At, or immediately after, departure from a port or when entering into the area covered by a system (see note 3).

Position report: When the ship's position varies more than 25 miles from the position that would have been predicted from previous reports, after a course alteration, when required by the system or as decided by the master.

Final report: Shortly before or on arrival at destination or when leaving the area covered by a system (see note 3).

NOTE 1: Sections of the ship reporting format which are inappropriate should be omitted from the report. See the following examples:

Examples of messages produced by using this format:

<i>Sailing plan</i>	<i>Position report</i>	<i>Final report</i>
SHIPREP	SHIPREP	SHIPREP
A SP	A PR	A FR
B NONSUCH/MBCH	B NONSUCH/MBCH	B NONSUCH/MBCH
C 021030	C 041200	C 110500
D NEW YORK	E 4604N 05123W	D LONDON
F 060	F 089	
G 16	G 15	
H GC	J PORTISHEAD	
I 102145 LONDON	K 061200	
J PORTISHEAD		
K 041200		

NOTE 2: In a reporting system intended track may be reported by:

- (a) Latitude and longitude for each turn point, expressed as in E above, together with type of intended track between these points, for example "RL" (rhumb line) "GC" (great circle) or "coastal", or

(b) In the case of coastal sailing the forecast date and time, expressed by a 6-digit group as in C above, of passing significant off-shore points.

NOTE 3: Sailing plan and final report should be transmitted rapidly using a system other than radiocommunications where practicable.

RESOLUTION 4. SEARCH AND RESCUE MANUALS

The Conference,

Noting that the Inter-Governmental Maritime Consultative Organization has prepared a Merchant Ship Search and Rescue Manual (MERSAR) and an IMCO Search and Rescue Manual (IMCOSAR),

Recognizing that the Merchant Ship Search and Rescue Manual provides valuable guidance for seafarers during emergencies at sea,

Recognizing further that the IMCO Search and Rescue Manual contains guidelines for Governments wishing to establish or develop their search and rescue organizations and for personnel who may be involved in the provision of search and rescue services,

Being of the opinion that the manuals constitute a valuable supplement to the International Convention on Maritime Search and Rescue, 1979, and its Annex and will greatly contribute towards the objectives of the Convention,

Resolves:

(a) To urge States to use the guidelines provided in the manuals and to bring them to the attention of all concerned; and

(b) To endorse the action already taken by the Inter-Governmental Maritime Consultative Organization for amending and keeping the manuals up to date.

RESOLUTION 5. FREQUENCIES FOR MARITIME SEARCH AND RESCUE

The Conference,

Noting that the World Administrative Radio Conference, 1979, will decide on measures which could have a far-reaching effect on the frequency spectrum,

Bearing in mind that the frequencies used in the present maritime distress system do not make adequate provision for ships in distress at a distance of more than approximately 150 miles from the coast,

Recognizing that all maritime radiocommunications, whether making use of distress or public correspondence frequencies, can have distress and safety implications,

Urges the World Administrative Radio Conference, 1979:

(a) To allocate one frequency, to be reserved exclusively for distress and safety purposes, in each of the 4, 6, 8, 12 and 16 MHz maritime mobile bands using A3J class of emission for use in all ITU Regions and to include guard bands on each side of these frequencies; the use of digital selective calling should be permitted on these frequencies; and

(b) To recognize that all telecommunications to and from ships at sea may comprise elements of importance to search and rescue, and to support proposals for adequate frequency allocations to the maritime mobile service.

RESOLUTION 6. DEVELOPMENT OF A GLOBAL MARITIME
DISTRESS AND SAFETY SYSTEM

The Conference,

Having concluded the International Convention on Maritime Search and Rescue, 1979, which establishes an international plan for the co-ordination of search and rescue operations,

Recognizing that the existence of an effective distress and safety communications network is important for the efficient operation of the search and rescue plan,

Being aware that the Inter-Governmental Maritime Consultative Organization has under continuous review the maritime distress and safety system and has adopted Resolutions dealing with the communications aspects of the system,

Considering that a global maritime distress and safety system should provide, among other things, the essential radio elements of the international search and rescue plan,

Invites the Inter-Governmental Maritime Consultative Organization to develop a global maritime distress and safety system that includes telecommunication provisions for the effective operation of the search and rescue plan prescribed by the Annex to the International Convention on Maritime Search and Rescue, 1979.

RESOLUTION 7. HARMONIZATION OF SEARCH AND RESCUE SERVICES
WITH MARITIME METEOROLOGICAL SERVICES

The Conference,

Bearing in mind the importance of meteorological and oceanographical information in search and rescue operations,

Considering the desirability of meteorological information covering the same areas as search and rescue regions,

Considering further that routine weather reports from ships normally include the ship's position,

Being of the opinion that the practice of ships transmitting weather reports and position reports through the same coast radio station would facilitate the transmission of such reports and encourage ship participation in both systems,

Invites the Inter-Governmental Maritime Consultative Organization:

(a) To work closely with the World Meteorological Organization to explore the practicability of harmonizing the areas of maritime meteorological forecasts and warnings with maritime search and rescue regions;

(b) To request the World Meteorological Organization to take steps to ensure that up-to-date meteorological and oceanographical information is immediately available to the search and rescue services for the whole of the regions they serve; and

(c) To investigate the feasibility of ships making weather and position reports to the same coast radio station.

RESOLUTION 8. PROMOTION OF TECHNICAL CO-OPERATION

The Conference,

Recognizing that prompt and effective maritime search and rescue requires broad international co-operation and substantial technical and scientific resources,

Recognizing further that Parties to the International Convention on Maritime Search and Rescue, 1979, will be called upon to make arrangements to achieve the objectives of that Convention and to assume full responsibility for such arrangements,

Being convinced that the promotion of technical co-operation at inter-governmental level will expedite the implementation of the Convention by States that do not as yet possess the necessary technical and scientific resources,

Urges States to promote, in consultation with, and with the assistance of, the Inter-Governmental Maritime Consultative Organization, support for States requesting technical assistance for:

- (a) The training of personnel necessary for search and rescue; and
- (b) The provision of the equipment and facilities necessary for search and rescue,

Further urges States to implement the above-mentioned measures without awaiting the entry into force of the Convention.

DECLARATIONS concerning application of and succession to the International Convention on maritime search and rescue, 1979¹

Notifications received by the Secretary-General of the International Maritime Organization on:

28 November 1982

BELIZE

(The above Convention, which entered into force on 22 June 1985, had, before the independence of Belize on 21 September 1981, applied to it by virtue of a declaration of application effected by the United Kingdom of Great Britain and Northern Ireland. Belize, in its declaration, stated that it continues to apply *inter alia* the above Convention, provisionally and on the basis of reciprocity as between Belize and all other Parties to the Convention, pending final decision as to its formal succession thereto. The Secretary-General of the International Maritime Organization understands that the Convention therefore continues to apply provisionally between Belize and any other Party thereto which expressly so agreed or, by reason of its conduct, is to be considered as having so agreed.)

2 November 1983

SAINT CHRISTOPHER AND NEVIS

(The above Convention, which entered into force on 22 June 1985, had, before the independence of Saint Christopher and Nevis on 19 September 1983, applied to it by virtue of a declaration of application effected by the United Kingdom of Great Britain and Northern Ireland. Saint Christopher and Nevis, in its declaration, stated that it continues to apply *inter alia* the

DÉCLARATIONS relatives à l'application de la Convention internationale de 1979 sur la recherche et le sauvetage maritimes¹ et à la succession à celle-ci

Notifications reçues par le Secrétaire général de l'Organisation maritime internationale le :

28 novembre 1982

BELIZE

(La Convention susmentionnée, qui est entrée en vigueur le 22 juin 1985 s'appliquait au Belize, avant son indépendance le 21 septembre 1981, au titre d'une déclaration d'application effectuée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord. Le Belize, dans sa déclaration, a indiqué qu'il continue d'appliquer, *inter alia*, la Convention susmentionnée à titre provisoire sur une base de réciprocité entre Belize et toutes les autres Parties à la Convention, sous réserve de sa décision finale concernant sa succession formelle à celle-ci. Le Secrétaire général de l'Organisation maritime internationale comprend donc que la Convention continue de s'appliquer entre le Belize et toute autre Partie à celle-ci qui y a consenti expressément ou qui, en raison de son comportement, doit être considérée comme y ayant consenti.)

2 novembre 1983

SAINT-CHRISTOPHE-ET-NEVIS

(La Convention susmentionnée, qui est entrée en vigueur le 22 juin 1985, s'appliquait à Saint-Christophe-et-Nevis avant son indépendance le 19 septembre 1983, au titre d'une déclaration d'application effectuée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord. Saint-Christophe-et-Nevis, dans sa déclaration, a indiqué qu'il continue d'appliquer, *inter alia*, la Convention

¹ See p. 119 of this volume.

¹ Voir p. 134 du présent volume.

above Convention, provisionally and on the basis of reciprocity as between Saint Christopher and Nevis and all other Parties to the Convention, pending final decision as to its formal succession thereto. The Secretary-General of the International Maritime Organization understands that the Convention therefore continues to apply provisionally between Saint Christopher and Nevis and any other Party thereto which expressly so agreed or, by reason of its conduct, is to be considered as having so agreed.)

DECLARATION relating to the declaration of application to Berlin (West) made by the Federal Republic of Germany upon ratification¹

Effectuated with the Secretary-General of the International Maritime Organization on:

20 December 1982

UNION OF SOVIET SOCIALIST RE-
PUBLICS

susmentionnée à titre provisoire sur une base de réciprocité entre Saint-Christophe-et-Nevis et toutes les autres Parties à la Convention, sous réserve de sa décision finale concernant sa succession formelle à celle-ci. Le Secrétaire général de l'Organisation maritime internationale comprend donc que la Convention continue de s'appliquer entre Saint-Christophe-et-Nevis et toute autre Partie à celle-ci qui y a consenti expressément ou qui, en raison de son comportement, doit être considérée comme y ayant consenti.)

DÉCLARATION relative à la déclaration d'application à Berlin-Ouest faite par la République fédérale d'Allemagne lors de la ratification¹

Effectuée auprès du Secrétaire général de l'Organisation maritime internationale le :

20 décembre 1982

UNION DES RÉPUBLIQUES SOCIA-
LISTES SOVIÉTIQUES

[RUSSIAN TEXT — TEXTE RUSSE]

В соответствии с Четырехсторонним соглашением от 3 сентября 1971 года (приложение IV АВ, пункт 2в) ФРГ не имеет права распространять на Западный Берлин международные соглашения и договоренности, заключаемые ею, которые затрагивают вопросы статуса и безопасности. Конвенции по поиску и спасанию на море и по предотвращению загрязнения с судов, как видно из их содержания, относятся именно к такого рода соглашениям.

В указанные конвенциях регулируются вопросы, относящиеся к деятельности государств-участников в рамках их юрисдикции или контроля.

Конвенция по поиску и спасанию на море предусматривает принятие государствами-участниками необходимых мер в деле поиска и спасания людей, терпящих бедствие на море «у их берегов», включая создание специальных «национальных органов». Каждое государство-участник обязывается также сотрудничать в этих целях с другими государствами-участниками «в своих территориальных водах или на своей территории либо в воздушном пространстве над ними».

...

¹ See p. 186 of this volume.

¹ Voir p. 186 du présent volume.

Совершенно очевидно, что ФРГ не может принимать подобных обязательств в отношении Западного Берлина, поскольку, как известно, Западный Берлин не является составной частью ФРГ и не управляется ею.

С учетом вышеизложенного советская сторона рассматривает сделанное правительством Федеративной Республики Германия при сдаче ратификационных грамот конвенций заявления о распространении их действия на Западный Берлин как неправомерные и не имеющие юридической силы.

[TRANSLATION]¹

In accordance with the Quadripartite Agreement of 3 September 1971² (Annex IV AB, paragraph 2 (b)) the Federal Republic of Germany has no right to extend to West Berlin international agreements and arrangements entered into by the Federal Republic of Germany affecting matters of security and status. The SAR Convention . . . relate[s], as is seen from [its] contents, to just that sort of agreement.

The said Convention[s] regulate[s] matters relating to the activities of States Parties within the limits of their jurisdiction or control.

The SAR Convention provides for States Parties to make necessary arrangements for the provision of search and rescue services for persons in distress at sea "round their coasts", including the establishment of "a national machinery". Each State Party also undertakes to co-operate for these purposes with other States Parties "[in] or over its territorial sea or territory".

...

It is quite obvious that the Federal Republic of Germany cannot assume such obligations in respect of West Berlin because, as is known, West Berlin is not a constituent part of the

[TRADUCTION]¹

Aux termes de l'Accord quadripartite du 3 septembre 1971² (annexe IV AB, paragraphe 2 b), la République fédérale d'Allemagne n'a nullement le droit d'étendre à Berlin-Ouest des accords et des arrangements internationaux qu'elle a conclus et qui ont trait aux questions de sécurité et de statut. Or, ainsi qu'en témoigne [sa] teneur, la Convention SAR . . . constitue[nt] précisément [un] accord[s] de cette nature.

[La] dite[s] Convention[s] [régit] des questions relatives aux activités des Etats Parties, dans les limites de leur juridiction ou de leur contrôle.

La Convention SAR prévoit que les Etats Parties prennent les dispositions nécessaires pour que les services de recherche et de sauvetage soient fournis aux personnes en détresse en mer « au large de leurs côtes », y compris la création « d'un organisme national ». En outre, chaque Etat Partie s'engage à coopérer à cette fin avec d'autres Etats Membres « dans sa mer territoriale ou sur son territoire ».

...

La République fédérale d'Allemagne ne peut manifestement pas prendre de telles obligations en ce qui concerne Berlin-Ouest étant donné que, comme on le sait, Berlin-Ouest n'est pas une

¹ Translation supplied by the International Maritime Organization.

² United Nations, *Treaty Series*, vol. 880, p. 115.

¹ Traduction fournie par l'Organisation maritime internationale.

² Nations Unies, *Recueil des Traités*, vol. 880, p. 115.

Federal Republic of Germany and is not governed by it.

Bearing in mind the above, the USSR considers the statement[s] made by the Government of the Federal Republic of Germany in depositing [an] Instrument[s] of Ratification to the Convention[s] extending [its] application to West Berlin as unlawful and void of legal force.

DECLARATION relating to the declaration made by the Union of Soviet Socialist Republics¹ concerning the declaration of application to Berlin (West) effected by the Federal Republic of Germany upon ratification²

Effected with the Secretary-General of the International Maritime Organization on:

19 May 1983

UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELAND

“In a communication to the Government of the Union of Soviet Socialist Republics, which is an integral part (Annex IV A) of the Quadripartite Agreement of 3 September 1971,³ the Governments of France, the United Kingdom and the United States, without prejudice to the maintenance of their rights and responsibilities relating to the representation abroad of the interests of the Western Sectors of Berlin, confirmed that, provided that

¹ See p. 251 of this volume.

² See p. 186 of this volume.

³ United Nations, *Treaty Series*, vol. 880, p. 115.

partie intégrante de la République fédérale d'Allemagne et ne relève pas de sa juridiction.

En raison des considérations ci-dessus, l'URSS juge illégale[s] et dépourvue[s] de toute valeur juridique [la] déclaration[s] qui [a] été faite[s] par le Gouvernement de la République fédérale d'Allemagne lors du dépôt [d'un] instrument[s] de ratification [de la] Convention[s], et qui vise à étendre l'application de celle[s]-ci à Berlin-Ouest.

DÉCLARATION relative à la déclaration formulée par l'Union des Républiques socialistes soviétiques¹ concernant la déclaration d'application à Berlin-Ouest effectuée par la République fédérale d'Allemagne lors de la ratification²

Effectuée auprès du Secrétaire général de l'Organisation maritime internationale le :

19 mai 1983

ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD

[TRADUCTION³ — TRANSLATION⁴]

Dans une communication au Gouvernement de l'Union des Républiques socialistes soviétiques qui fait partie intégrante (annexe IV A) de l'Accord quadripartite du 3 septembre 1971⁵, les Gouvernements de la France, du Royaume-Uni et des Etats-Unis, sans préjudice du maintien de leurs droits et obligations en ce qui concerne la représentation à l'étranger des intérêts des secteurs occidentaux de Berlin, ont confirmé que, à condition que les ques-

¹ Voir p. 251 du présent volume.

² Voir p. 186 du présent volume.

³ Traduction fournie par l'Organisation maritime internationale.

⁴ Translation supplied by the International Maritime Organization.

⁵ Nations Unies, *Recueil des Traités*, vol. 880, p. 115.

matters of status and security are not affected and provided that the extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the Western Sectors of Berlin in accordance with established procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Governments of the Three Powers which is similarly an integral part (Annex IV B) of the Quadripartite Agreement, affirmed that it would raise no objections to such extension.

“The established procedures referred to above, which were endorsed in the Quadripartite Agreement, are designed *inter alia* to afford the authorities of the Three Powers the opportunity to ensure that international agreements and arrangements entered into by the Federal Republic of Germany which are to be extended to the Western Sectors of Berlin are extended in such a way that matters of status and security are not affected.

“When authorizing the extension of . . . the International Convention on Maritime Search and Rescue, 1979, to the Western Sectors of Berlin, the authorities of the Three Powers took such steps as were necessary to ensure that matters of security and status were not affected. Accordingly, the validity of the Berlin declaration made by the Federal Republic of Germany in accordance with established procedures is unaffected and the application of . . . the International Convention on Maritime Search and Rescue to the Western Sectors of Berlin continues in full force and effect.”

tions de sécurité et de statut ne soient pas affectées, et conformément aux procédures établies, les accords et arrangements internationaux conclus par la République fédérale d'Allemagne pourraient être étendus aux secteurs occidentaux de Berlin à condition que l'extension de ces accords et arrangements soit précisée dans chaque cas. De son côté, le Gouvernement de l'Union des Républiques socialistes soviétiques, dans une communication adressée aux gouvernements des trois Puissances, qui fait de la même manière partie intégrante (annexe IV B) de l'Accord quadripartite, a affirmé qu'il n'élèverait pas d'objection contre des extensions prononcées dans de telles conditions.

Les procédures établies auxquelles il est fait référence ci-dessus, qui ont été approuvées dans le cadre de l'Accord quadripartite, ont notamment pour objet de donner aux autorités des trois Puissances la possibilité de faire en sorte que les accords et arrangements internationaux conclus par la République fédérale d'Allemagne qui doivent être étendus aux secteurs occidentaux de Berlin sont étendus de manière à ne pas affecter les questions de sécurité et de statut.

Lorsqu'elles ont autorisé l'extension aux secteurs occidentaux de Berlin . . . de la Convention internationale de 1979 sur la recherche et le sauvetage maritimes, les autorités des trois Puissances ont pris les mesures nécessaires pour faire en sorte que les questions de sécurité et de statut ne soient pas affectées. En conséquence, la validité de la déclaration sur Berlin faite par la République fédérale d'Allemagne, conformément aux procédures établies, n'est pas affectée et l'application dans les secteurs occidentaux de Berlin . . . de la Convention internationale sur la recherche et le sauvetage maritimes demeure en pleine vigueur et effet.

DECLARATION relating to the declarations made by the Union of Soviet Socialist Republics¹ and the United Kingdom of Great Britain and Northern Ireland² concerning the declaration of application to Berlin (West) made by the Federal Republic of Germany upon ratification³

Effectuated with the Secretary-General of the International Maritime Organization on:

3 June 1983

FEDERAL REPUBLIC OF GERMANY

“By its note of 19 May 1983 . . . the Government of the United Kingdom answered the assertions made in the [communication dated 20 December 1982 from the Embassy of the Union of Soviet Socialist Republics in the United Kingdom].

“The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the note of 19 May 1983 wishes to confirm that the application to Berlin (West) of the . . . [Convention] extended by it under the established procedures continues in full force and effect.

“The Government of the Federal Republic of Germany wishes to point out that the absence of a response to further communications of a similar nature should not be taken to imply any change of its position in this matter.”

¹ See p. 251 of this volume.

² See p. 253 of this volume.

³ See p. 186 of this volume.

DÉCLARATION relative aux déclarations faites par l'Union des Républiques socialistes soviétiques¹ et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord² concernant la déclaration d'application à Berlin-Ouest effectuée par la République fédérale d'Allemagne lors de la ratification³

Effectuée auprès du Secrétaire général de l'Organisation maritime internationale le :

3 juin 1983

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

[TRADUCTION⁴ — TRANSLATION⁵]

Par sa note du 19 mai 1983 . . . le Gouvernement du Royaume-Uni a répondu aux affirmations contenues dans [la communication de l'Ambassade de l'Union des Républiques socialistes soviétiques au Royaume-Uni, en date du 20 décembre 1982.

Le Gouvernement de la République fédérale d'Allemagne, sur la base de la situation juridique décrite dans la note du 19 mai 1983, tient à confirmer que l'[instrument], dont il a étendu l'application à Berlin-Ouest conformément aux procédures établies, continue d'y être pleinement en vigueur.

Le Gouvernement de la République fédérale d'Allemagne tient à signaler que l'absence de réponse de sa part à de nouvelles communications de même nature ne devra pas être interprétée comme signifiant un changement de position en la matière.

¹ Voir p. 251 du présent volume.

² Voir p. 253 du présent volume.

³ Voir p. 186 du présent volume.

⁴ Traduction fournie par l'Organisation maritime internationale.

⁵ Translation supplied by the International Maritime Organization.

DECLARATION

Effectuated with the Secretary-General of the International Maritime Organization on:

17 October 1983

CHILE

“The Government of Chile states that the creation of the maritime search and rescue services and the delimitation of the corresponding regions must be carried out strictly in conformity with the standards set forth in paragraph[s] 2.1.4 and 2.1.5 of Chapter 2 of the Convention.

“The Government of Chile states further that, without prejudice to cooperation with the International Civil Aviation Organization to harmonize aeronautical and maritime search and rescue plans and procedures, as recommended in Resolution 1 of the Conference, the Parties to the Convention have full and sovereign liberty to establish within their territory and the waters under their jurisdiction such maritime search and rescue regions as they consider best suited to their interests.”

Certified statements were registered by the International Maritime Organization on 27 August 1985.

DÉCLARATION

Effectuée auprès du Secrétaire général de l'Organisation maritime internationale le :

17 octobre 1983

CHILI

[TRADUCTION¹ — TRANSLATION²]

Le Gouvernement chilien est d'avis que la création des services de recherche et de sauvetage maritimes et la délimitation des régions correspondantes doivent être effectuées en stricte conformité avec les normes énoncées aux paragraphes 2.1.4 et 2.1.5 du chapitre 2 de la Convention.

Le Gouvernement chilien est en outre d'avis que, sans préjudice de la coopération maintenue avec l'Organisation de l'aviation civile internationale en vue d'harmoniser les plans et les procédures aéronautiques et maritimes de recherche et de sauvetage, ainsi qu'il est recommandé dans la résolution 1 de la Conférence, les Parties à la Convention sont pleinement et souverainement libres d'établir à l'intérieur de leur territoire et dans les eaux soumises à leur juridiction les régions maritimes de recherche et de sauvetage qu'elles considèrent les mieux adaptées à leurs intérêts.

Les déclarations certifiées ont été enregistrées par l'Organisation maritime internationale le 27 août 1985.

¹ Traduction fournie par l'Organisation maritime internationale.

² Translation supplied by the International Maritime Organization.