

**SEARCH AND RESCUE AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF
THE DOMINICAN REPUBLIC**

The Government of the United States of America and the Government of the Dominican Republic (hereinafter, "the Parties");

Recalling the International Convention for the Safety of Life at Sea, 1974, with annex, the 1979 International Convention on Maritime Search and Rescue, the Convention on International Civil Aviation, 1944, and the 1982 United Nations Convention on the Law of the Sea;

Further recalling the longstanding cooperation between the Parties in search and rescue evidenced by the Maritime Search and Rescue Agreement between the Parties signed at Santo Domingo March 20, 1992 (hereinafter, "the 1992 SAR Agreement");

Knowing the importance of cooperation in maritime and aeronautical search and rescue (hereinafter, "SAR");

Recognizing the need to provide expeditious and effective SAR services to help save lives and reduce suffering;

Desiring to continue their cooperation in SAR;

Based on the principles of international law, respect for the sovereign equality of State and in full respect of the principle of the right of freedom of navigation;

Have agreed as follows:

Article 1 Purpose and Scope

The Parties shall continue to cooperate to the fullest extent possible, consistent with international law and available resources, to provide maritime and aeronautical SAR services involving persons in distress at sea, regardless of their nationality or status, or the circumstances in which they are found.

Article 2 Definitions

1. "Mass rescue operations" (MROs) means SAR services that require immediate response to large numbers of persons in distress, such that capabilities normally available to the SAR authorities of the Parties are inadequate.
2. "Rescue" means an operation to retrieve persons in distress, provide for their initial medical or other needs, and delivering them to a place of safety.
3. "Rescue coordination center" (RCC) means a unit responsible for promoting efficient organization of SAR services and for coordinating the conduct of SAR operations within a SAR region.
4. "Rescue sub-center" (RSC) means a unit subordinate to an RCC established to complement the latter according to particular provisions of the responsible authorities.
5. "Search" means an operation, normally coordinated by an RCC or RSC, using available personnel and facilities to locate persons in distress.
6. "SAR Authorities" means for the Government of the United States of America, the United States Coast Guard, and for the Government of the Dominican Republic, the Dominican Republic Navy.
7. "SAR region" (SRR) means an area of defined dimensions, associated with an RCC, within which SAR services are provided.
8. "SAR sub-region" (SRS) means a specified area within a SRR associated with a RSC.
9. "SAR services" means the performance of distress monitoring, communication, coordination, search operations, and rescue operations. These services are carried out in accordance with the relevant frameworks of the International Maritime Organization (IMO) and of the International Civil Aviation Organization (ICAO).

10. "Territory, waters, and airspace of the Parties" means:
- a. For the Government of the Dominican Republic: The territory, territorial sea and internal waters of the Dominican Republic, and the air space over such territory and waters.
 - b. For the Government of the United States: The territory and territorial sea of the United States of America, the Commonwealth of Puerto Rico, the United States Virgin Islands, Navassa Island and other territories and possessions in the Caribbean Sea over which the United States exercises sovereignty, and the airspace over such United States territory and waters.

Article 3 Search and Rescue Region

The Dominican Republic is located within SRS of the aeronautical-maritime SRR of RCC Miami for which RSC San Juan has primary responsibility. The SRR and SRS are unrelated to and shall not prejudice delimitation of any national boundary, and have been established under the auspices of IMO and ICAO solely to help ensure coordination and support of effective SAR services.

Article 4 Operating Entities

The SAR Authorities of the Parties shall be the primary agencies responsible for implementing this Agreement. These authorities shall undertake any liaison and coordination with other relevant authorities of their respective Governments necessary to carry out the purpose of this Agreement.

Article 5 SAR Operations

1. Each Party, upon receiving information regarding any person or persons in actual or apparent distress, shall take urgent measures to provide the most appropriate assistance.
2. To facilitate the conduct and coordination of SAR operations, the Parties shall keep each other fully and promptly informed of relevant SAR activities, provide each other with any information that may expedite and improve coordination, and arrange for effective and efficient means of communication.

3. In accordance with customary international practice, the Parties shall, to the extent practicable, coordinate and conduct SAR operations in accordance with the guidance of the *International Aeronautical and Maritime Search and Rescue Manual*.
4. The SAR Authority for the Government of the Dominican Republic shall
 - a. independently or in cooperation with RSC San Juan, provide or arrange for SAR services within the territory, waters, and airspace of the Dominican Republic; and
 - b. serve, when appropriate, as an intermediary between a person reporting an emergency and RSC San Juan;
5. In conducting joint SAR operations, the Parties shall cooperate with each other as necessary and appropriate, and shall coordinate SAR operations for that purpose, assisting each other as their capabilities allow.
6. If it is impossible to ascertain immediately which Party should assume the lead in coordinating a SAR response or operation, the SAR Authorities shall consult in each case to resolve that issue.
7. Each Party shall offer expeditious assistance to the other Party to enable it to obtain authorization for SAR personnel and equipment of the other Party to enter, transit, or overfly its territory, waters, and airspace to facilitate SAR operations.
8. Each Party agrees that SAR personnel and equipment under the coordination of either Party shall be permitted to enter, transit, or overfly territory, waters and airspace of the other Party without prior authorization under the following conditions:
 - a. Such entry, transit, or overflight is solely for the purpose of rendering immediate emergency rescue assistance to persons, vessels, or aircraft in actual or apparent distress;
 - b. The location of such persons, vessels, or aircraft is reasonably well known; and
 - c. The SAR authority of the other Party is notified of such entry or transit as soon as practicable and is provided with details of the operations, and disposition of the case.
9. Each Party agrees to prepare to conduct MROs by planning and training for coordinated SAR operations, including distress scenarios involving large capacity passenger vessels or aircraft.
10. In accordance with customary international law, the Parties shall provide SAR services to persons in distress without subsequent cost recovery from the person or persons

assisted. Similarly, when one Party requests help from the other to assist one or more persons in danger or distress, if such help is provided, it will be done voluntarily, and the Parties will neither request nor pay reimbursement of cost for such assistance.

Article 6
Points of Contact and Information Exchange

1. The primary operational points of contact for this Agreement are RSC San Juan for the Government of the United States of America, and the Dominican Navy Operations Center for the Government of the Dominican Republic.
2. The primary points of contact for matters relating to policy or to the provisions of this Agreement are the Commandant (G-OPR) of the United States Coast Guard, and the Chief of Staff of the Dominican Republic Navy.
3. Identification of points of contact in this Article is not intended to preclude direct coordination, as appropriate, among any other SAR authorities or facilities.
4. The SAR Authorities of the Parties will exchange any information as appropriate to support this Agreement, including but not limited to: address, telephone, fax and email information for points of contact; information on SAR and support facilities; and available radio frequencies.

Article 7
Ongoing SAR Cooperation

1. The Parties shall promote cooperation through collaborative efforts, including, but not limited to: arranging exchange visits of SAR personnel; conducting joint SAR exercises and training; access to medical facilities; and using ship reporting systems for SAR.
2. Each Party may permit, after its SAR Authority makes arrangements with appropriate officials, on the occasions and for the time necessary for the proper performance of the operations required under this Agreement:
 - a. the temporary mooring of vessels engaged in SAR operations at national ports in accordance with international norms for the purpose of resupplying fuel and provisions, medical assistance, minor repairs, weather and other logistics and related purposes; and
 - b. the landing and temporary staging of aircraft engaged in SAR at international airports in accordance with international norms for the purposes of resupplying

fuel and provisions, medical assistance, minor repairs, weather, and other logistics and related purposes.

3. The movement of SAR vessels and aircraft under the coordination of one Party in the waters and airspace of the other Party, and the use by them of ports, harbors and airfields shall not be subject to any taxes, fees or other charges, provided that reasonable amounts shall be paid for services and materials requested and received in connection with the use of such ports, harbors and airfields.

Article 8 Resources

1. It is understood that any available resource may be used to assist the SAR Authorities in fulfilling their SAR responsibilities, including but not limited to resources of other Government agencies, authorities of other States, other public and private entities, ships at sea, and volunteer organizations.
2. This Agreement does not obligate either Party to allocate funds, resources, or personnel to any specific activities.

Article 9 Consultations

The Parties shall resolve issues pertaining to interpretation or implementation of this Agreement solely by consultation.

Article 10 Entry into Force, Duration, and Termination

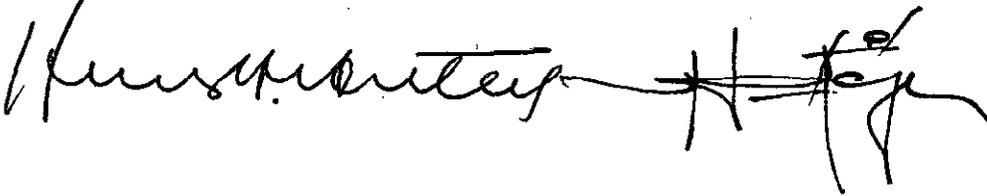
1. This Agreement shall enter into force upon signature by both Parties.
2. Upon its entry into force, this Agreement supersedes and replaces the 1992 SAR Agreement.
3. This Agreement may be terminated at any time by either Party upon written notification to the other Party through the diplomatic channel. Such termination to take effect six months from the date of notification, or sooner by mutual agreement of the Parties.

4. This Agreement shall continue to apply after termination with respect to any administrative or judicial proceedings arising out of actions taken pursuant to this Agreement.
5. SAR operations in progress at the time of termination shall not be affected unless the Parties reach an understanding to the contrary.

SIGNED in duplicate at Washington this twenty-first day of May, 2003, in the English and Spanish languages, each text being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE
DOMINICAN REPUBLIC:

The image shows two handwritten signatures in black ink. The signature on the left is for the United States of America, and the signature on the right is for the Dominican Republic. Both signatures are written in a cursive, flowing style.